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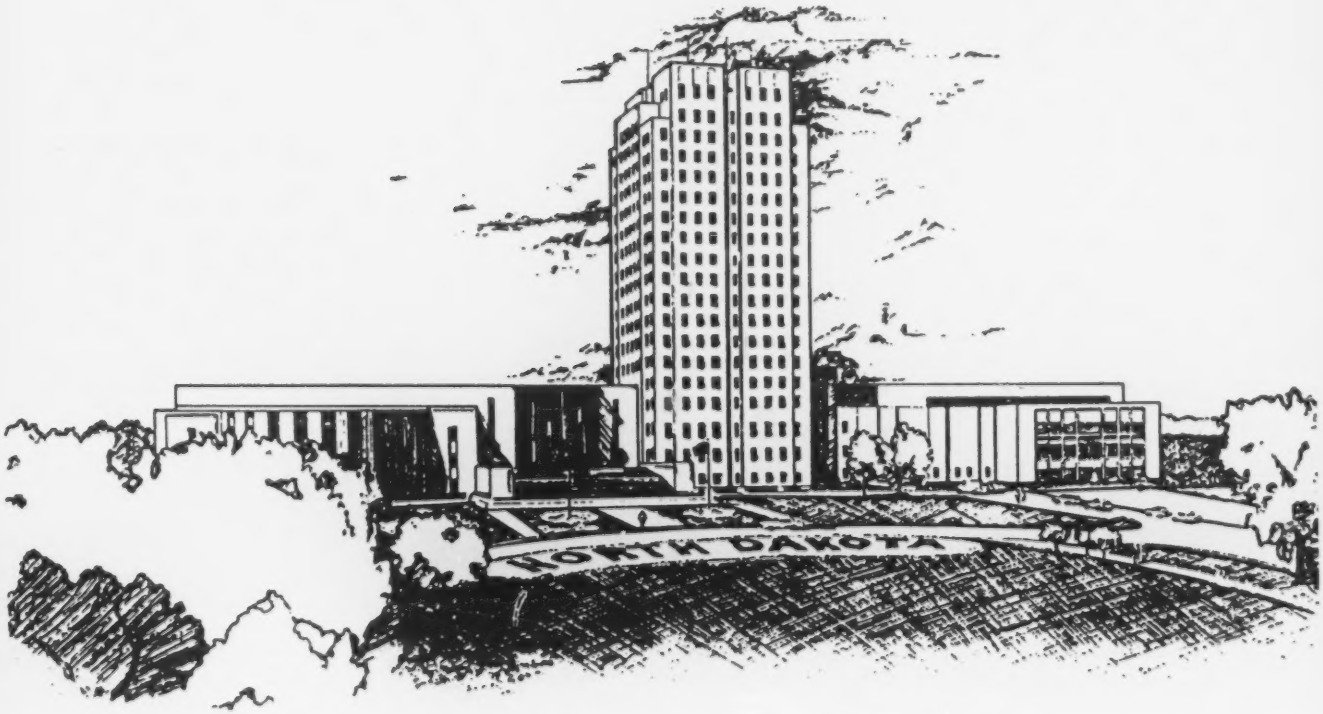
ANNUAL REPORT OF THE

NORTH DAKOTA JUDICIAL SYSTEM

Calendar Year 1990



William G. Bohn
Executive Secretary

State of North Dakota

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TO THE HONORABLE CHIEF JUSTICE
AND JUSTICES OF THE SUPREME COURT
OF THE STATE OF NORTH DAKOTA:

TO THE HONORABLE MEMBERS OF THE
NORTH DAKOTA JUDICIAL CONFERENCE:

With pleasure, I submit the 1990 Annual Report of the North Dakota judicial system. This report, as in previous years, highlights the activities of the North Dakota judicial system during calendar year 1990. It provides statistical information on our courts and reports on other developments and activities which are shaping our judicial system. It should prove valuable as a reference source for anyone wishing to learn about the operation of the judicial system in North Dakota.

Looking forward, 1991 will begin the transition to the complete unification of trial judges within the state as a result of the passage of House Bill No. 1517. The issues involving implementation of specific aspects on established target dates are complex, yet obvious. Less understood are the subtle changes that will be necessary, such as year-to-year comparisons of statistical data, made more difficult after January 1, 1995, when the county courts are abolished and the workload is assumed by an expanded number of district judges.

I take this opportunity to publicly acknowledge the valuable assistance and cooperation extended to me by the judges and court personnel whose reports provided the information contained in the Annual Report. Particular thanks to the staff of the State Court Administrator's Office for their diligent work in compiling the statistics and designing the format for this work.

Respectfully submitted,

W. G. Bohn

WILLIAM G. BOHN
State Court Administrator and
Executive Secretary, North Dakota
Judicial Conference

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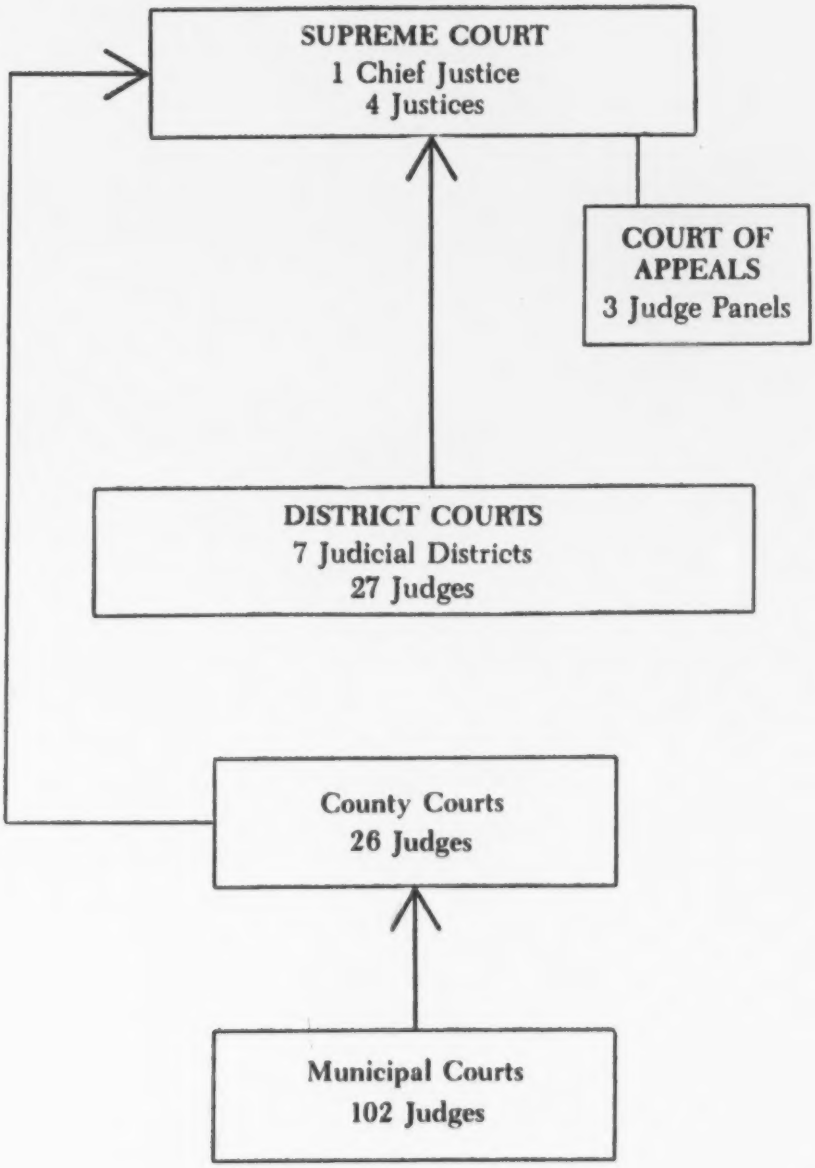
The Structure of the North Dakota Judicial System



Profile of the North Dakota Judicial System

Structure of the Court System

The original constitution of the State of North Dakota created a judicial system consisting of the supreme court, district courts, justice of the peace courts, and such municipal courts as provided by the legislature. This judicial structure remained intact until 1959 when the Legislature abolished the justice of peace courts in the state.

The adoption of a new judicial article to the state constitution in 1976 significantly modified the constitutional structure of the judicial system. The new judicial article vested the judicial powers of the state in a unified judicial system consisting of a supreme court, district courts, and such other courts as provided by law. Thus, under the new judicial article, only the supreme court and the district courts have retained their status as constitutional courts. All other courts in the state are statutory courts.

In 1981 the Legislature further altered the structure of the judicial system by enacting legislation which replaced the multi-level county court structure with a uniform system of county courts throughout the state. This new county court structure became effective on January 1, 1983.

With the county court system in place, the judicial system of the state consists of the supreme court, district courts, county courts, and municipal courts.

This will change once again as 1991 House Bill number 1517 is implemented between July 1, 1991 and final implementation on January 2, 2001. Briefly stated, this legislation will abolish county courts on January 1, 1995 with the jurisdictional workload transferring to an expanded number of district judges. The current number of 26 county judges and 27 district judges will, by the year 2001, be reduced to a total of 42 district judges with no county judges. Several advisory committees of the supreme court are busy studying implementation with the goal of providing recommendations to the court.

Administrative Authority

The 1981 Legislature clarified the administrative responsibilities of the supreme court by designating the Chief Justice as the administrative head of the judicial system and by granting the Chief Justice the authority to assign judges for temporary duty in any nonfederal court in the state. It also acknowledged the supreme court's rulemaking authority in such areas as court procedure and attorney supervision.

Selection and Removal of Judges

All judges in North Dakota are elected in nonpartisan elections. Justices of the supreme court are elected for ten-year terms; district court judges for six-year terms, and all other judges for four-year terms.

Vacancies in the supreme court and the district courts can be filled either by a special election called by the governor or by gubernatorial appointment. However, before a vacancy can be filled by gubernatorial appointment, the Judicial Nominating Committee must first submit a list of nominees to the governor from which the governor makes an appointment. Whether the vacancy is filled by a special election or by appointment, the person filling the judicial vacancy serves only until the next general election. The person elected to the office at the general election serves for the remainder of the unexpired term.

Vacancies in the various county courts are filled by the board of county commissioners of the county where the vacancy occurs or by a special election called by the board of county commissioners. If the county commissioners choose to fill the vacancy by appointment, they must select from a list of nominees submitted by the Judicial Nominating Committee.

If a vacancy occurs in a municipal court, it is filled by the executive officer of the municipality with the consent of the governing body of the municipality.

Under the North Dakota Constitution only supreme court justices and district court judges can be removed from office by impeachment. All judges, however, are subject to removal, censure, suspension, retirement or other disciplinary action for misconduct by the supreme court upon the recommendation of the Judicial Conduct Commission. Other methods for the retirement, removal and discipline of judges can be established by the legislature.

CASELOAD OVERVIEW OF NORTH DAKOTA COURTS
FOR 1989 AND 1990

Level of Court	Filings		Dispositions		Pending at Year's End	
	1990	1989	1990	1989	1990	1989
Supreme Court	429	397	439	381	201	224
District Courts	22,023	20,516	21,611	20,256	9,720	9,308
County Courts	88,535	92,506	87,300	91,265	28,275	27,040
TOTAL	110,987	113,419	109,350	111,902	38,196	36,572

North Dakota Supreme Court

Left to right: (Sitting) Justice Beryl J. Levine; Chief Justice Ralph J. Erickstad; and Justice Herbert L. Meschke; (Standing) Justice H.F. Gierke and Justice Gerald W. VandeWalle.

The North Dakota Supreme Court has five justices. Each justice is elected for a ten-year term in a nonpartisan election. The terms of the justices are staggered so that only one judgeship is scheduled for election every two years. Each justice must be a licensed attorney and a citizen of the United States and North Dakota.

One member of the supreme court is selected as chief justice by the justices of the supreme court and the district court judges. The chief justice's term is for five years or until the justice's elected term on the court expires. The chief justice's duties include presiding over supreme court conferences, representing the judiciary at official state functions, and serving as the administrative head of the judicial system.

The North Dakota Supreme Court is the highest court for the State of North Dakota. It has two major types of responsibilities: (1) adjudicative and (2) administrative.

In its adjudicative capacity, the supreme court is primarily an appellate court with jurisdiction to hear appeals from decisions of the district courts and the county courts. All appeals from these courts must be accepted for review by the court. In addition, the court also has original jurisdiction authority and can issue such original and remedial writs as are necessary to exercise this authority.

The state constitution requires that a quorum, composed of a majority of the justices, is necessary before the court can conduct its judicial business. It also stipulates that the court cannot declare a legislative enactment unconstitutional unless four of the justices so decide. When the court decides an appeal, it is required to issue a written opinion stating the rationale for its decision. Any justice disagreeing with the majority decision may issue a dissenting opinion which explains the reasons for the disagreement with the majority.

In its administrative capacity, the supreme court has major responsibilities for ensuring the efficient and effective operation of all nonfederal courts in the state, maintaining high standards of judicial conduct, supervising the legal profession, and promulgating procedural rules which allow for the orderly and efficient transaction of judicial business. Within each area of administrative responsibility the court has general rulemaking authority.

The court carries out its administrative responsibilities with the assistance of various committees and boards. It exercises its authority to admit and license attorneys through the State Bar Board. Its supervision of legal ethics is exercised through the Disciplinary Board of the Supreme Court and its supervision of judicial conduct is exercised through the Judicial Conduct Commission. Continuing review and study of specific subject areas within its administrative jurisdiction is provided through five advisory committees - the Joint Procedure Committee, the Attorney Standards Committee, the Judiciary Standards Committee, the Court Services Administration Committee and the Judicial Planning Committee. Other committees, such as, the Judicial Training Committee, Personnel Advisory Board and the Legal Counsel for Indigents Commission, also provide valuable assistance to the supreme court in important administrative areas.

Administrative personnel of the supreme court also play a vital role in helping the court fulfill its administrative functions. The clerk of the supreme court supervises the calendaring and assignment of cases, oversees the distribution and publication of supreme court opinions and administrative rules and orders, and decides certain procedural motions filed with the court. The state court administrator assists the court in the preparation of the judicial budget. The state court administrator prepares statistical reports on the workload of the state's courts, provides judicial educational services, and performs such other administrative duties that are assigned to him by the supreme court. The state law librarian supervises the operation of the state law library and serves as court bailiff when the court is in session.

North Dakota Supreme Court

Luella Dunn
Clerk of the Supreme Court

In 1990, the volume of the workload placed immense demands on the Supreme Court. However, the Justices and staff responded with greater productivity while still recognizing the need to resolve large numbers of cases expeditiously and provide attention to each individual case.

New case filings totalling 429, up 8% over 1989, with a 44% increase in criminal filings, and a carry over of 224 cases from 1989 resulted in a total number of 640 active cases on the docket during 1990, the heaviest workload ever confronting the Court.

CASELOAD SYNOPSIS OF THE SUPREME COURT FOR THE 1989 AND 1990 CALENDAR YEARS

	1990	1989	Percent Difference
New Filings	429	397	8.1
Civil	282	295	- 4.4
Criminal	147	102	44.1
Transferred to Court of Appeals	13	0	100.0
Civil	10	0	100.0
Criminal	3	0	100.0
New Filings Balance	416	397	4.8
Civil	272	295	- 7.8
Criminal	144	102	41.2
Filings Carried over from Previous Calendar Year	224	208	7.7
Civil	159	159	0.0
Criminal	65	49	32.7
Total Cases Docketed	640	605	5.8
Civil	431	454	- 5.1
Criminal	209	151	38.4
Dispositions	439	381	15.2
Civil	273	295	- 7.5
Criminal	166	86	93.0
Cases Pending as of December 31	201	224	- 10.3
Civil	158	159	-0.6
Criminal	43	65	- 33.8

The highest number of appeals originated in the South Central Judicial District followed by the East Central Judicial District, with the lowest number of appeals coming from the Southwest Judicial District. The number of appeals per judge ranged from a high of 41 to 0.

Case dispositions reached 439, the highest number of dispositions in the history of the Supreme Court. Each of the Justices wrote an average of 56.2 majority opinions in 1990, with the total number of cases decided by opinion reaching a record high 281! Over four and one-half opinions plus special concurrences and dissents were prepared by each Justice per month. Dispositions by order increased from 103 in 1989 to 158 in 1990.

Of the total dispositions in 1990, 273 were civil, a 7.5% decrease, and 166 were criminal, a 93% increase. As of December 31, 1990, 201 cases were pending in the Supreme Court, a decrease from 1989.

DISPOSITIONS — 1990

	Civil	Criminal
BY OPINION:		
Affirmed; Modified and Affirmed	115	53
Reversed; Reversed and Remanded; Reversed and Modified	46	23
Affirmed in Part and Reversed in Part	21	0
Judgment Vacated and Remanded	0	0
Remanded	0	0
Dismissed	8	2
Discipline Imposed	5	0
Original Jurisdiction—Granted	3	0
Original Jurisdiction—Denied	3	1
Original Jurisdiction—Denied in Part and Granted in Part	1	0
Certified Question	0	0
Dispositions by Opinion	202	79
BY ORDER:		
Dismissed	45	71
Dismissed After Conference	14	7
No Court Action Required	2	0
Discipline Inactive Status	0	0
Original Jurisdiction—Granted	3	0
Original Jurisdiction—Denied	7	9
Dispositions by Order	71	87
Total Dispositions for 1990	273	166

Not accurately reflected in the statistics is the amount of time the Supreme Court Justices spent either collectively or singly considering pre-argument procedural motions, applications for writs, proposed amendments to various procedural and administrative rules, and policies affecting the administration of the judicial system. These "administrative" matters require the immediate attention of the Court and have, in the past few years, significantly added to an already over-burdened workload.

North Dakota Court of Appeals

Luella Dunn
Clerk of the Court of Appeals

The North Dakota Court of Appeals was established effective July 1, 1987, to assist the North Daktoa Supreme Court in managing its increasing workload.

In 1990, three panels of the North Dakota Court of Appeals were called. Each panel, consisting of a Surrogate Judge acting as the Chief Judge, and two active District Court Judges, heard three cases.

Judges assigned to each panel were:

June 18, 1990	Judge A. C. Bakken, Surrogate Judge (designated as Chief Judge) Judge Everett Nels Olson, District Judge Judge William A. Neumann, District Judge
June 26, 1990	Judge Douglas B. Heen, Surrogate Judge (designated as Chief Judge) Judge Wallace D. Berning, District Judge Judge John T. Paulson, District Judge
December, 1990	Judge Douglas B. Heen, Surrogate Judge (designated as Chief Judge) Judge Joel D. Medd, District Judge Judge Maurice R. Hunke, District Judge

Pursuant to the provisions of Administrative Rule 27, cases assigned to the Court of Appeals panels in 1990 included family law cases, appeals from summary judgments and misdemeanor convictions.

CASELOAD SYNOPSIS OF THE COURT OF APPEALS FOR THE 1989 AND 1990 CALENDAR YEARS

	1990	1989
Cases transferred to Court of Appeals from Supreme Court	13	0
Civil	10	0
Criminal	3	0
Filings Carried over from Previous Calendar Year	0	3
Civil	0	0
Criminal	0	3
Total Cases Docketed	13	3
Civil	10	0
Criminal	3	3
Dispositions	7	3
Civil	7	0
Criminal	0	3
Cases Pending As Of December 31	6	0
Civil	3	0
Criminal	3	0

DISPOSITIONS — 1990 COURT OF APPEALS

	Civil	Criminal
Affirmed; Modified and Affirmed	4	0
Reversed; Reversed and Remanded; Reversed and Modified	1	0
Affirmed in Part and Reversed in Part	0	0
Judgment Vacated and Remanded	0	0
Remanded	1	0
Dismissed	1	0
Total Dispositions for 1990	7	0

DISPOSITIONS — 1989 COURT OF APPEALS

	Civil	Criminal
Affirmed; Modified and Affirmed	0	3
Affirmed by Summary Disposition	0	0
Reversed; Reversed and Remanded; Reversed and Modified	0	0
Affirmed in Part and Reversed in Part	0	0
Judgment Vacated and Remanded	0	0
Remanded	0	0
Dismissed	0	0
Total Dispositions for 1989	0	3

During 1990, of the seven cases decided by the Court of Appeals, petitions for review to the Supreme Court were filed in two cases. A denial by the Supreme Court was entered in one of the cases and one petition for review was pending at the close of the year.

District Courts

There are district court services in each of the state's fifty-three counties. Except for clerks of court offices, the district courts are funded by the state of North Dakota. The district courts have original and general jurisdiction in all cases except as otherwise provided by law. They have the authority to issue original and remedial writs. They have exclusive jurisdiction in criminal felony cases and have general jurisdiction for civil cases.

The district courts also serve as the juvenile courts in the state and have exclusive and original jurisdiction over any minor who is alleged to be unruly, delinquent, or deprived. This jurisdiction includes all cases where a female minor is seeking judicial authorization to obtain an abortion without parental consent. Unlike a majority of the other states, the responsibility for supervising and counseling juveniles who have been brought into court lies presently with the judicial branch of government in North Dakota. To meet these responsibilities, the presiding judge, in consultation with the district court judges of each judicial district, has the authority to employ appropriate juvenile case personnel. In addition to these personnel, the presiding judge, on behalf of the district court judges of the judicial district, may also appoint judicial referees to preside over juvenile proceedings, judgment enforcement proceedings, and domestic relations proceedings, other than contested divorces.

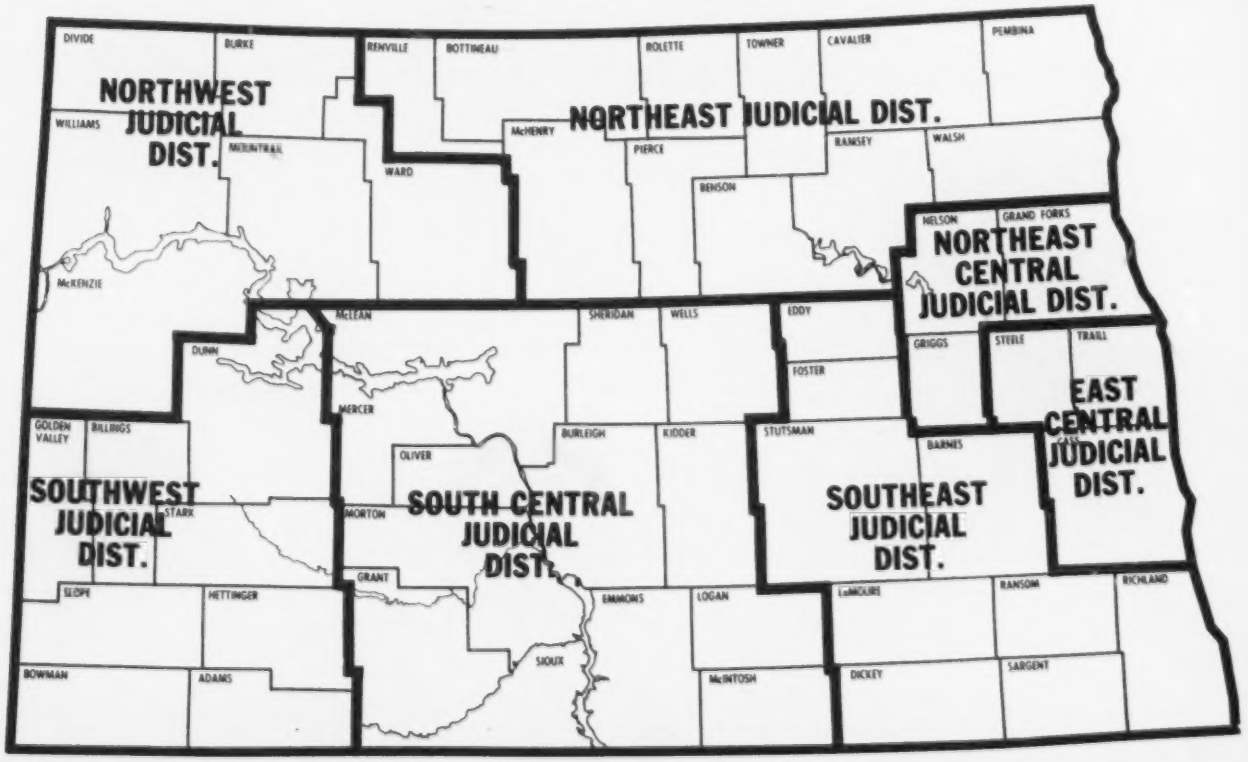
The district courts are also the appellate courts of first instance for appeals from the decisions of many administrative agencies. Acting in this appellate capacity, they do not conduct a retrial of the case. Their decisions are based on a review of the record of the administrative proceeding conducted by the administrative agency under review.

In 1979 the Supreme Court divided the state into seven judicial districts. In each judicial district there is a presiding judge who supervises all court services of all courts in the geographical area of the judicial district. All presiding judges are appointed by the chief justice with the approval of the Supreme Gourt. A 1991 legislative change will require that the presiding district judge be selected by the district and county court judges in their respective districts. The duties of the presiding judge, as established by the Supreme Court, include convening regular meetings of the judges within the judicial district to discuss issues of common concern, assigning cases among the judges of the district, and assigning judges within the judicial district in cases of demand for change of judge. Six of the seven judicial districts are served by a court administrator, who has the administrative responsibility for liaison with governmental agencies, budget, facilities, records management, personnel, and contract administration.

There are twenty-seven district judges in the state. Five judges in three chamber city locations serve the South Central Judicial District, the geographically largest and most populous in the state. There are also five judges in the Northwest Judicial District serving in two chamber locations. Four judges serve the East Central Judicial District in one chamber city location, and four judges serve the Northeast Central Judicial District in one chamber city location. Three judges serve in each of the three remaining judicial districts, each in a different chamber city location, except in the Southwest Judicial District where two judges are chambered in one city. All district court judges are required by the state constitution to be licensed North Dakota attorneys, citizens of the United States and residents of North Dakota.

The office of district court judge is an elected position which is filled every six years in a nonpartisan election held in the district in which the judge will serve. If a vacancy occurs, the governor may either fill the vacancy by appointing a candidate from a list of nominees submitted by a judicial nominating committee or by calling a special election to fill the vacancy. If the vacancy is filled by the nomination process, the appointed judge serves until the next general election, at which time the office is filled by election for the remainder of the term.

NORTH DAKOTA JUDICIAL DISTRICTS



District Court Caseload

As indicated in the charts below, there was a slight increase in the caseload of district courts in 1990. This was a reversal of the decrease in 1989 but consistent with the otherwise steady increase in filings which has been evident since 1983.

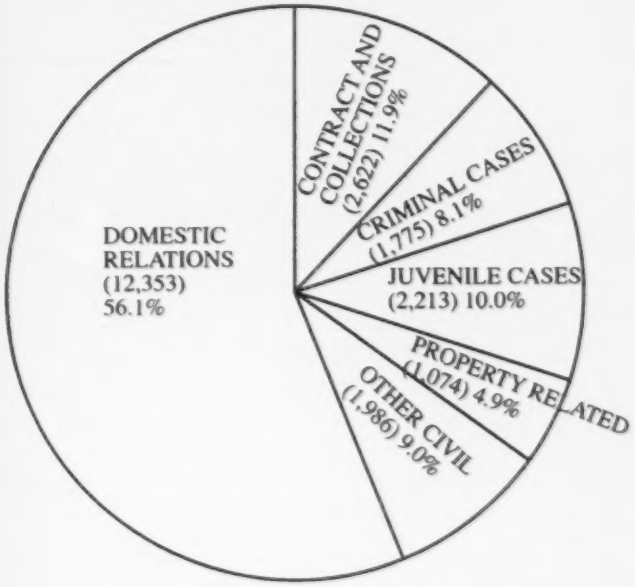
Filings for non-domestic relations cases increased by four percent following a 10% decrease in 1989. Again, this is consistent with the steady increase which had been seen since 1980.

The three major components of the district court caseload have remained stable in comparison with previous years. The civil component continues to be the largest category of cases making up 82% of the district court filings. Criminal and juvenile filings each contribute approximately 8% and 10% of the district court caseload respectively.

The increase was fairly consistent statewide, six districts showing increases. Overall, the increase in filings resulted in fifty-five more cases per judge being filed.

The percentage of criminal filings within each district varies greatly from year to year, caused in part by the relatively small number of cases. The criminal cases showed a significant increase in filings in 1990 of nearly 16%. However three districts showed a decline in criminal filings seen for the past several years. Despite the addition of three district judges since 1980, the statewide average of filings per judge has increased 180 cases in that time period. At the end of 1990 there were 9,720 pending compared with 9,308 cases pending at the end of 1989.

TYPES OF CASES FILED IN THE DISTRICT COURT DURING 1990


CONTRACT AND COLLECTIONS (2,622) 11.9%
CRIMINAL CASES (1,775) 8.1%
JUVENILE CASES (2,213) 10.0%
PROPERTY RELATED (1,074) 4.9%
OTHER CIVIL (1,986) 9.0%
DOMESTIC RELATIONS (12,353) 56.1%

DISTRICT COURT CASELOAD FOR CALENDAR YEARS 1989 AND 1990

	1990	1989	Percent Difference
New Filings	22,023	20,516	+7.3
Civil	18,035	17,176	+5.0
Criminal	1,775	1,531	+15.9
Juvenile	2,213	1,809	+22.3
Cases Carried Over From Previous Year	9,308	9,048	+2.9
Civil	8,555	8,344	+2.5
Criminal	753	704	+7.0
Juvenile	—	—	—
Total Cases Docketed	31,331	29,564	+6.0
Civil	26,590	25,520	+4.2
Criminal	2,528	2,235	+13.1
Juvenile	2,213	1,809	+22.3
Dispositions	21,611	20,256	+6.7
Civil	17,706	16,965	+4.4
Criminal	1,692	1,482	+14.2
Juvenile	2,213	1,809	+22.3
Cases Pending As Of December 31	9,720	9,308	+4.4
Civil	8,884	8,555	+3.8
Criminal	836	753	+11.0
Juvenile	—	—	—

DISTRICT COURT CASE TYPE FILING — 1990

CIVIL

Case Type	Filings
Property Damage	138
Personal Injury	556
Malpractice	50
Divorce	3,089
Adult Abuse	496
Custody	54
Support Proceedings	7,592
Adoption	331
Paternity	649
Admin. Appeal	294
Appeal Other	37
Contract/Collect	2,622
Quiet Title	115
Condemnation	19
Forcible Detain	6
Foreclosure	936
Change of Name	142
Special Proceedings	75
Trust	44
Foreign Judgment	448
Other	342
State Total	18,035

CRIMINAL

Case Type	Filings
Felony A	103
Felony B	374
Felony C	1,160
Misdemeanor A	53
Misdemeanor B	13
Infraction	0
Special Remedy	16
Appeal	1
Other	55
State Total	1,775

Civil Caseload

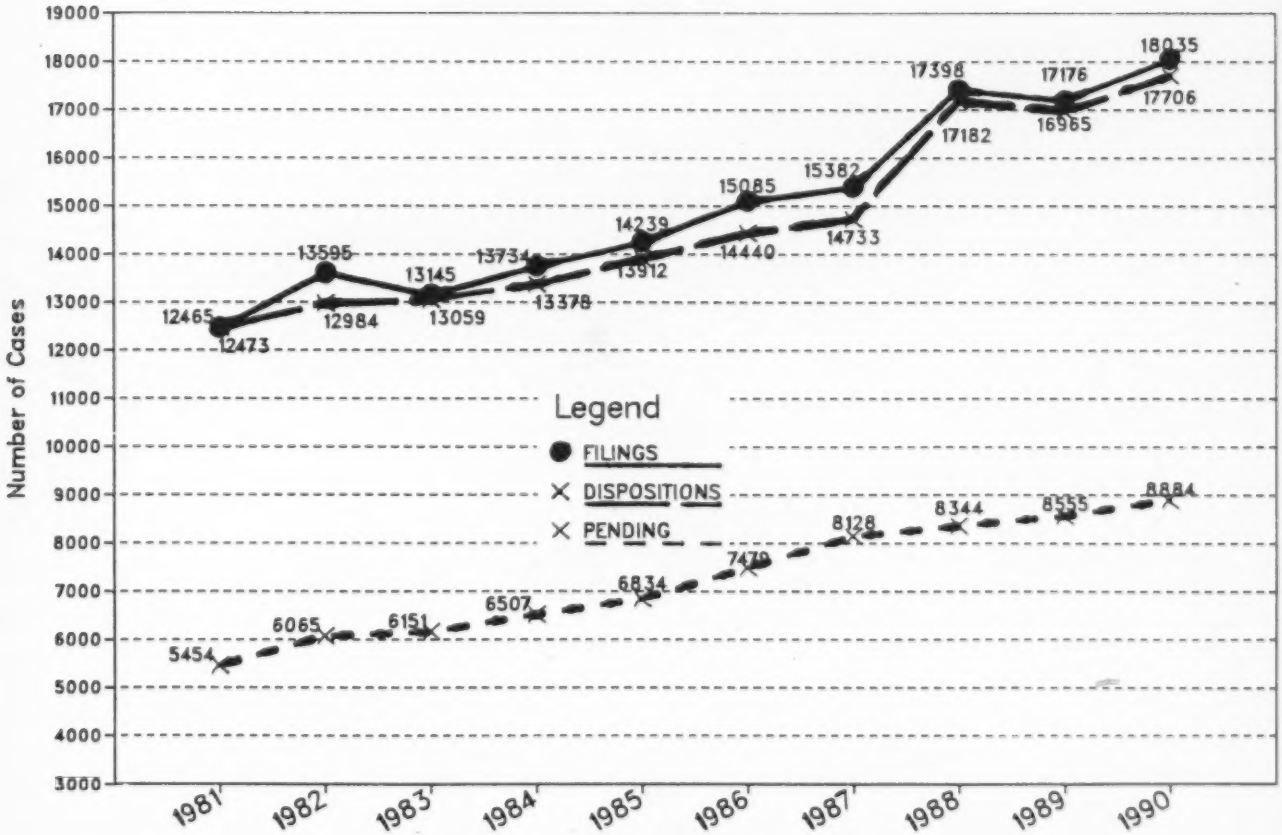
As indicated in the narrative dealing with the district court caseload in general, the civil caseload showed a slight increase in the past year.

For the fourth consecutive year, the filings of child support-related filings showed a substantial increase (+10%). This, however, is the smallest increase in this category since the judiciary entered into a cooperative agreement with the Department of Human Services relating to child support collection. Filings in the non-domestic relations area decreased by 5% compared with average increases of 2% for each of the previous ten years. Domestic relations cases increased by 10%, contract and collection filings decreased by 9%, property related filings decreased by 5%, and other civil filings increased by 13%. Within the domestic relations category, child support actions make up 62% of the cases, 25%, adoption 3%, paternity 4%, adult abuse 5%, and custody less than 1%.

Adult abuse filings again showed an increase. In 1984 there were 156 adult abuse cases compared with 496 filings in 1990. Divorce filings showed a slight increase with 3,090 cases filed in 1988 and 2,885 cases filed in 1989 and 3,089 cases in 1990.

The number of pending civil cases increased by 3.8% over 1989. Perhaps the best indication of how well district courts are handling civil cases is their compliance with docket currency standards as established by the supreme court. The standards call for the disposition of civil cases within twenty-four months of filing and within 90 days of conclusion of a trial. Of the cases pending at the end of 1990, only 4% of the cases exceeded the docket currency standards. This figure has been relatively stable since 1983.

ND CIVIL CASELOAD COMPARISONS FOR
DISTRICT COURT FOR 1981-1990



Criminal Caseload

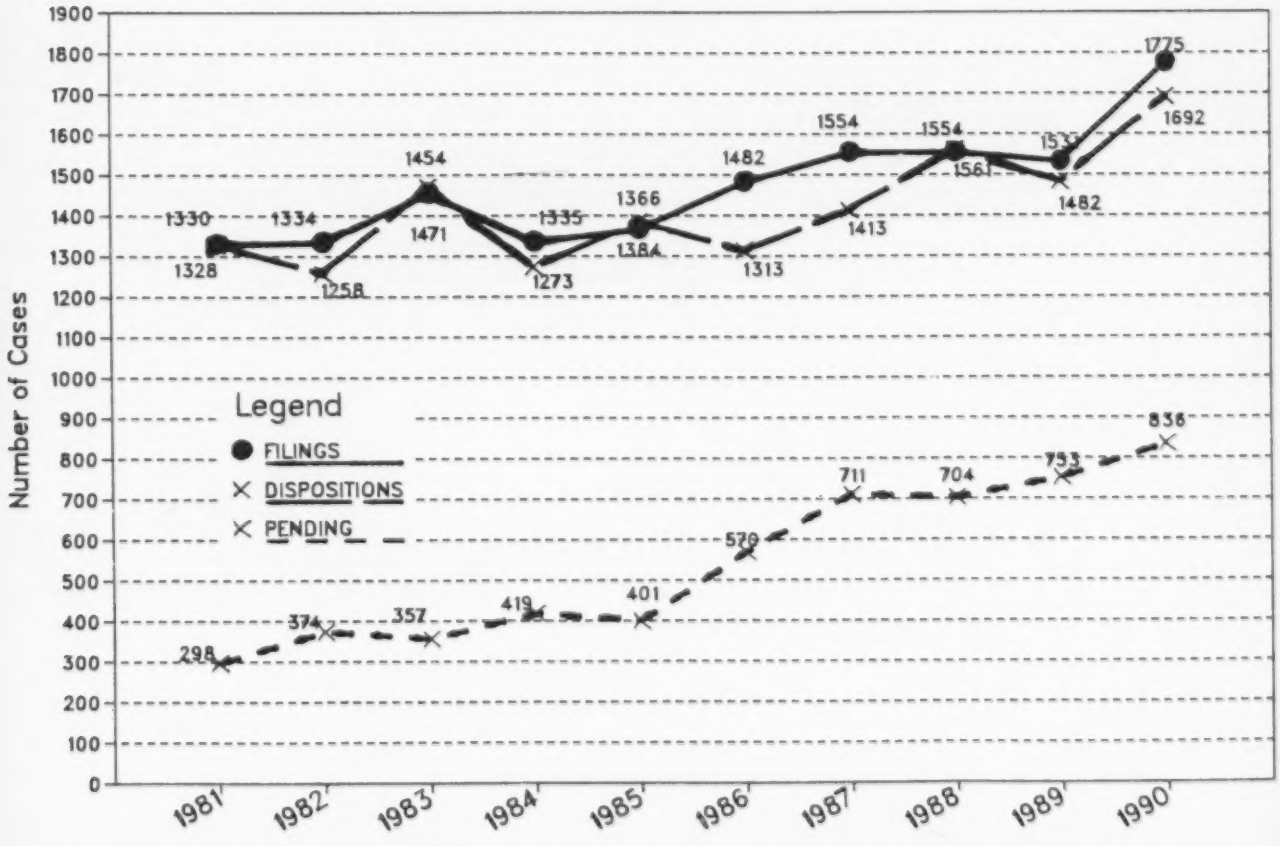
North Dakota continued its traditional low rate of crime during 1990. However, the number of criminal filings show a significant 16% increase. The types of cases remained relatively stable.

Of the criminal cases filed in district court, 6% were felony A, 21% were felony B, 65% were felony C, while 8% were misdemeanors or other criminal filings. In 1989 the breakdown was 7% felony A, 23% felony B, and 65% felony C.

Statewide, 17% of the criminal cases were disposed of by trial. Jury trials accounted for 16% of the trials or 47 cases. This compares with 58 cases in 1988 and 57 cases in 1989.

As with civil cases, docket currency standards have been established for criminal cases. Standards call for these cases to be decided within 100 days of filing of information or indictment in the district court. The presiding judge of the district or chief justice of the supreme court can waive the standards for specific cases if good cause is demonstrated. At the end of 1990, 28% of the pending criminal cases were older than 120 days compared to 27% in 1988 and 23% in 1987. The graph below shows the trend for criminal filings, dispositions, and pending cases.

CRIMINAL CASELOAD COMPARISON FOR DISTRICT COURT
FOR 1981-1990



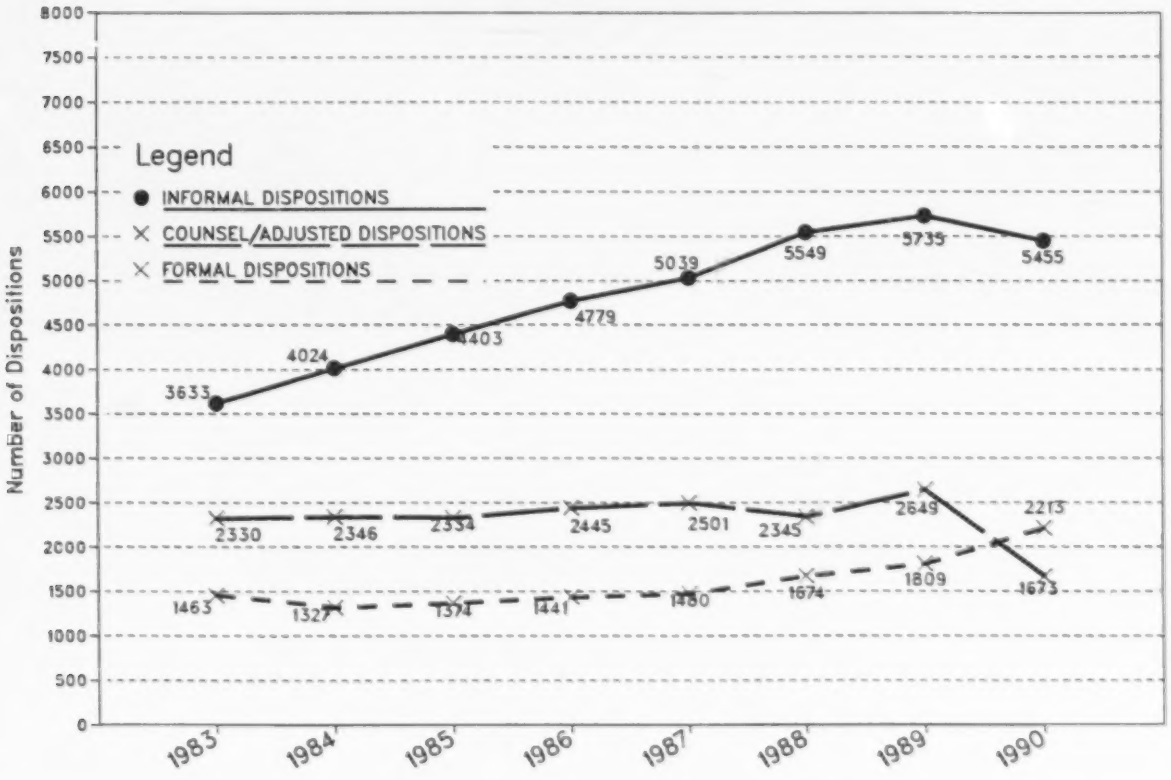
JUVENILE CASELOAD

As with the criminal caseload, the low violent crime rate in North Dakota is reflected in its juvenile court statistics. Offenses against persons made up 3% of the juvenile court caseload. Meanwhile, status offenses (offenses which only a child can commit) made up 16% of the caseload. Offenses against property 27%, traffic offenses 5%, deprivation 25%, and other filings 24%.

The method by which cases were disposed showed a slight decrease in the use of informal supervision. Of the cases heard, 58% were disposed of through informal adjustments in 1990 up from 56% in 1989. Additionally, 18% of the cases were counsel adjusted, and 23% were handled formally. This compares with 26% counsel adjusted in 1989 and 19% handled formally.

Overall, the juvenile court caseload decreased by 8% reversing an upward trend that has been present for the last several years. The table on the adjacent page compares the reason for referral for the juvenile court in 1989 and 1990. As in previous years, the illegal possession or purchase of alcoholic beverages continues to be the most common single reason for referral to the juvenile court. Deprivation ranks second while misdemeanor theft ranks third.

COMPARISON OF JUVENILE DISPOSITIONS
FOR 1983-1990



TYPES OF JUVENILE COURT DISPOSITIONS
FOR 1989 AND 1990

Judicial District	Formal 1990	Formal 1989	Informal 1990	Informal 1989	Counsel/ Adjusted 1990	Counsel/ Adjusted 1989	Total Dispositions 1990	Total Dispositions 1989	Percent Difference For Total Dispositions
Northwest	169	165	1,037	830	169	145	1,375	1,140	+21.0
Northeast	246	194	453	372	500	847	1,199	1,413	-15.1
Northeast Central	286	235	730	1,135	138	119	1,154	1,489	-22.5
East Central	734	546	807	559	132	714	1,673	1,819	-8.0
Southeast	182	189	608	690	252	268	1,042	1,147	-9.2
South Central	500	396	1,606	1,935	271	340	2,377	2,671	-11.0
Southwest	96	84	214	214	211	216	521	514	+1.4
TOTAL	2,213	1,809	5,455	,5,735	1,673	2,649	9,341	10,193	-8.4

REASONS FOR REFERRAL TO JUVENILE COURT SERVICES* IN 1989 AND 1990

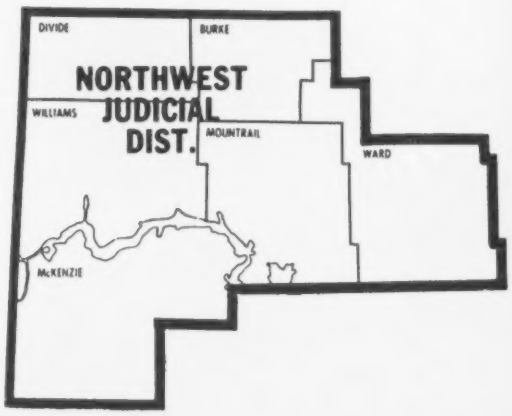
	1990	1989	Percent Difference
UNRULY	1,808	1,649	+9.6
Runaway-Instate	600	563	+6.6
Runaway-out-of-state	39	40	-2.5
Truancy	184	196	-6.1
Ungovernable Behavior	532	431	+23.4
Conduct/Control Violation	54	53	+1.9
Curfew Violation	314	294	+6.8
Other	85	72	+18.1
DELINQUENCY	6,604	5,989	+10.3
Offense Against Person	353	298	+18.5
Assault	228	170	+34.1
Homicide	2	0	0
Kidnapping	0	0	0
Sex Offense	58	62	-6.5
Other	65	66	-1.5
Offense Against Property	3,128	2,742	+14.1
Arson	24	14	+71.4
Burglary	174	156	+11.5
Criminal Mischief	603	449	+34.3
Criminal Trespass	174	147	+18.4
Forgery	58	82	-29.3
Robbery	16	2	+700.0
Theft-Misdemeanor	1,027	1,037	-1.0
Theft-Felony	741	615	+20.5
Unauthorized Use of Vehicle	138	104	+32.7
Other	173	136	+27.2
Traffic Offenses	539	559	-3.6
Driving w/o License	307	327	-6.1
Negligent Homicide	3	0	0
Other	229	232	-1.3
Other Offenses	2,584	2,390	+8.1
Disorderly Conduct	237	238	-0.4
Firearms	31	29	+6.9
Game & Fish Violation	52	47	+10.6
Obstruction of Law	37	20	+85.0
Possession or Purchase of Alcoholic Beverage	2,046	1,830	+11.8
Controlled Substance Violation	47	71	-33.8
Other	134	155	-13.5
DEPRIVATION	2,261	2,168	+4.0
Abandoned	2	4	-50.0
Abuse/Neglect	1,541	1,486	+4.0
Deprived	592	586	+1.0
Other	128	92	+39
SPECIAL PROCEEDINGS	96	78	+23.1
Involuntary Termination of Parental Rights	15	5	+200.0
Voluntary Termination of Parental Rights	81	72	+12.5
Other	0	1	-100.0
TOTAL	10,139	9,884	+3.0

*The reason the referral total differs from the dispositions chart is because some cases may have more than one reason for referral.

Report of the Northwest Judicial District

The Honorable Wallace D. Berning, Presiding Judge
William Blore, Court Administrator

District Court Judges: Wallace D. Berning, Presiding Judge; Jon R. Kerian; Everett Nels Olson; William M. Beede; and Bert L. Wilson.
County Court Judges: Gary A. Holum; Gordon C. Thompson; Robert W. Holte; and William W. McLees, Jr.
Number of Counties in District: 6
District Court Chambers: Minot and Williston



Personnel:

District Judges Beede and Wilson have primary responsibility for cases in Williams, Divide, and McKenzie Counties. Judges Berning, Olson and Kerian have primary responsibility for cases in Ward, Burke and Mountrail Counties.

In Ward County, Judge Gary Holum is continuing to utilize services of referee Mark Flagstad for small claims. A contractual agreement with McLean County Judge McLees to assist with the Ward County caseload is no longer in place.

Judge McLees is now serving additional counties in the Southwest. Judge Holte continues to serve Burke, Mountrail and Divide Counties. The planned implementation for full-time judicial referee services has once again been delayed. A temporary arrangement utilizing Bill Blore, Court Administrator, and Philip Stenehjem, retired Juvenile Supervisor, as referees on a part-time basis continues.

Personnel changes have occurred in the Minot juvenile court staff. Long time juvenile supervisor, Marilynn Olson, retired in July, and Barbara Nathan, probation officer, terminated her employment to accept a position with the public schools. Gloria Maragos was retained to fill Barbara Nathan's position and Scott Dewald was hired back to the Minot Office as juvenile supervisor after a short term with the Division of Juvenile Services.

Restitution Emphasis:

The Northwest District has once again placed restitution on an emphasis level in both the juvenile and district court caseload. In the Williston juvenile court one probation officer has been identified as a restitution officer. In excess of $5,000 was collected by the juvenile court Williston office, while in Ward County over $6,500 was collected in 1990. At the district court level, in excess of $50,000 was collected throughout the district in restitution efforts.

Child support enforcement throughout the district brought in over six and one half million dollars. These payments come in small monthly amounts which represent a growing burden for the clerk of court staff. A mushrooming documentation requirement has been assisted by the computer program now in place.

Caseload Impact:

Referrals to the juvenile court staff districtwide showed a marked increase in 1990. The Williston office remained quite consistent while the Minot office experienced a forty percent increase as over 1,500 referrals were processed. Each staff continues to participate in Neglect, Abuse and Permanency Planning Committee activities with the community agencies. Caseload increases are not only taxing juvenile probation staff but State Probation and Parole staff which supervise the district court probationers are also seeing their caseloads increase.

Utilizing Community Resources:

The Northwest district continues to place emphasis on the use of volunteers and students to assist professional and clerical staff. Minot State University has provided student interns from its criminal justice and legal secretary program on an ongoing basis. These students receive college credit for "hands on" experience while the court benefits from skills provided without cost. The guardian ad litem program has expanded to include local citizens who assist formal juvenile court proceedings. A special workshop training guardians ad litem is provided for these participants.

New federal requirements in the area of spouse abuse and elderly abuse utilize the same staff as those providing child protective services. The result has been longer waiting lists for services.

Funding for community programs continue to diminish. The requests for staff involvement supporting community activities for youth continues to mount. The Northwest district is seeking additional methods to improve services to the public with existing resources.

NORTHWEST JUDICIAL DISTRICT CASELOAD FOR CALENDAR YEARS 1989 AND 1990

	1990	1989	Percent Difference
New Filings	3,463	3,665	-5.5
Civil	3,078	3,262	-5.6
Criminal	216	238	-9.2
Juvenile	169	165	+2.4
Cases Carried Over From Previous Year	1,321	1,296	+1.9
Civil	1,236	1,226	+0.8
Criminal	85	70	+21.4
Juvenile	—	—	—
Total Cases Docketed	4,784	4,961	-3.6
Civil	4,314	4,488	-3.9
Criminal	301	308	-2.3
Juvenile	169	165	+2.4
Dispositions	3,535	3,640	-2.9
Civil	3,139	3,252	-3.5
Criminal	227	223	+1.8
Juvenile	169	165	+2.4
Cases Pending As Of December 31	1,249	1,321	-5.5
Civil	1,175	1,236	-4.9
Criminal	74	85	-12.9
Juvenile	—	—	—

Report of the Northeast Judicial District

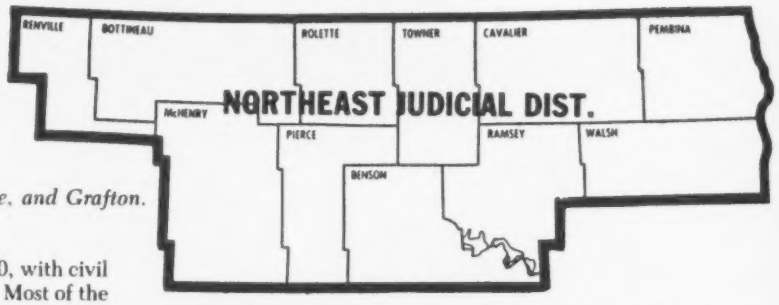
The Honorable James O'Keefe, Presiding Judge
Lisa Anderson, Administrative Assistant

District Judges: James H. O'Keefe, Presiding Judge; William A. Neumann, and Lee A. Christofferson.

County Court Judges: James M. Bekken, Donovan Foughty, M. Richard Geiger, Lester S. Ketterling, John C. McClintock, and Thomas K. Metelmann.

Number of Counties in District: 11

District Court Chambers: Bottineau, Devils Lake, and Grafton.



Caseload:

The caseload varied substantially from 1989 to 1990, with civil filings dropping and criminal filings on the upswing. Most of the increase in criminal filings was in the easternmost three counties. The number of aging cases dropped only slightly as we continued our efforts towards compliance with docket currency standards. Collections of child support increased more than 10% with clerks of court collecting almost $2.8 million in 1990.

Personnel:

As a cost-cutting measure, three positions were reduced to a part-time status in mid-1990, and two of these remained at 80% status and the third returned to full-time. All of the positions affected were in the Grafton chamber.

Two new clerks of court were elected in November, as Kay Saiger of Pembina County and Faye McIntyre of Ramsey County won contested races. Retiring in Pembina County after 37 years as Clerk of Court was Bernice "Bunnie" Bernhoft. Her experience and commitment to the courts will be missed. Also leaving was Vicki Haman, Clerk of Ramsey County, who left to resume collegiate studies.

Training:

While funds for training were severely cut back, a number of sessions were funded by grants and other means. Judge Christofferson attended the 12th National Conference for Judicial Conduct in Chicago and he and Judge O'Keefe also attended the Six State Judicial Conference in Rapid City, South Dakota. Judge Neumann and Judge O'Keefe attended the Leadership Conference in Medora, in which the future of the courts in North Dakota was discussed. Dale Thompson, our judicial referee, attended the National Child Support Enforcement Association Conference in Baltimore, Maryland. A number of other training sessions were attended by juvenile court personnel at minimal expense to the district. We believe that while reducing the money spent on training, through alternative financing, we have maintained adequate opportunities for professional development of our staff.

Other Changes:

While striving for economy, a number of changes other than staff reduction have been made to reduce the cost of operations, as follows: 1. Vast cuts in the library subscriptions have been made districtwide; 2. Smaller juries were called and fewer bailiffs served the courts; 3. Travel was severely limited and need for travel was closely scrutinized. These changes, as well as closely monitoring all spending, has enabled us to keep the budget in the black, despite cutbacks.

On a more positive note, the juvenile court, with the help of the Division of Juvenile Services, has equipped and staffed a number of new attendant care facilities. These facilities are used for short-term detention of unruly or delinquent juveniles who are non-violent. They may also be used for short-term deprived children until they can be placed in foster care.

NORTHEAST JUDICIAL DISTRICT CASELOAD FOR CALENDAR YEARS 1989 AND 1990

	1990	1989	Percent Difference
New Filings	1,974	1,846	+6.9
Civil	1,565	1,536	+1.9
Criminal	163	116	+40.5
Juvenile	246	194	+26.8
Cases Carried Over From			
Previous Year	889	898	-1.0
Civil	782	782	0.0
Criminal	107	116	-7.8
Juvenile	—	—	—
Total Cases Docketed	2,863	2,744	+4.3
Civil	2,347	2,318	+1.3
Criminal	270	232	+16.4
Juvenile	246	194	+26.8
Dispositions	1,868	1,855	+0.7
Civil	1,474	1,536	-4.0
Criminal	148	125	+18.4
Juvenile	246	194	+26.8
Cases Pending As Of			
December 31	995	889	+11.9
Civil	873	782	+11.6
Criminal	122	107	+14.0
Juvenile	—	—	—

Report of the Northeast Central Judicial District

The Honorable Kirk Smith, Presiding Judge
Patricia Thompson, Court Administrator

District Court Judges: Kirk Smith, Presiding Judge, Joel D. Medd, Bruce E. Bohlman and Lawrence E. Jahnke
County Court Judges: Debbie Kleven and Jonal H. Uglem
Number of Counties in District: 3
District Court Chambers: Grand Forks, North Dakota

Grand Forks County Judge, Frank J. Kosanda, retired at the close of the four year term to which he had been elected in 1986. Judge Kosanda had served in that post since his appointment in 1977. The judges and employees of the district and county courts, wish former Judge Kosanda and his wife good health and happiness in the coming years.

County Judge, Deb Kleven, was elected to that office in the November 1990 General Election. Judge Kleven formerly was an Assistant States Attorney at Grand Forks. Her transition from the bar to the bench has been smooth. She is welcomed as a valuable colleague.

1990 was a year of holding the fiscal line in the judicial branch. Appropriated funds were sequestered to the extent of 9.1% by the Office of Management and Budget under applicable statutes. This required a cutback of judicial funding, which was done. This reduction had been authorized under OMB findings of a predicted shortfall in revenues. This was attributed to lower than expected crude oil prices with resultant reduction in state revenues during the biennium. Most of that shortfall is not now expected to occur. Strong increases in retail sales taxes from sales to Canadian and other out of state retail customers in eastern cities has been paralleled by increases in oil severance taxes from crude oil price increases late in 1990. A restoration of a portion of the previously sequestered funds late in 1990, has helped ease the tight funding restrictions that has been imposed.

Planning has gone forward for improvement and integration of computer operations within the district. This has been done in anticipation of statewide application of computer operated court record keeping and reporting.

Jury operations have been maintained without interruption throughout the biennium. Cost saving techniques have been applied for the convenience of the panel members, as well as to reduce operating costs. Use of pretrial case management procedures have provided additional negotiation and settlement opportunities to litigants prior to the appearances of the parties for jury trial. Each case so settled is a definable saving on the Court's operational budget.

There has been willing and consistent participation of each of the district's judges in devising and executing their duties in a cost-conscious and efficient manner. The Space Facilities Committee for Grand Forks County has met several times during the year. The restoration of the main courtroom on third floor of the courthouse and conversion of several second floor offices to court purposes is slated to follow the transfer of the offices of the Grand Forks County Auditor, Treasurer and Register of Deeds to the now largely vacant and unrenovated first floor of the adjacent County Office Building. Cooperative meetings of the Space Facilities Committee are planned for the coming year.

Juvenile Court:

1990 was a year of change for juvenile court in the district. June 30th saw the retirement of juvenile supervisor Dorothy Ramberg. She had served loyally and well in that position for more than thirty years. She began as the only staff member to the single juvenile commissioner that Grand Forks County then had. Dorothy has been the principle organizer and implementer of the many changes that have occurred in Grand Forks Juvenile Court during the past score years and ten. These have included expansion of service and staff, improvement of services and time to appreciate the benefits of those services upon the lives of maturing young adults. There have also been many changes in juvenile law and procedure during Dorothy's years. Those requirements too were met by the Court in stride under Mrs. Ramberg's watchful eye. Other Staff changes have occurred as well.

Dennis Herbeck was promoted to the position of Director of Juvenile Court Services and Deb Hadland to Juvenile Court Officer III. Nicole Woodman fills the vacancy created by the promotion of Deb Hadland and Cheri Landis fills the vacancy created by the resignation of Joanne Gerszewski. These departures to other correctional agencies punctuate the need for judicial branch leadership in maintaining the defined role of juvenile courts in the rehabilitation of troubled youth. Other valuable administrative initiatives that are experimental in practice or secondary to adult corrections can provide useful enhancement of juvenile services in specialized areas. However, the value of permanent and locally responsible juvenile court services should not be underrated or overlooked in the future.

In December, juvenile court staff held a retreat. The purpose was to develop a mission statement and goals for the juvenile court. Program effectiveness was reviewed to determine continuance. This process proved to be valuable in an effort to systematically review their mission and goals.

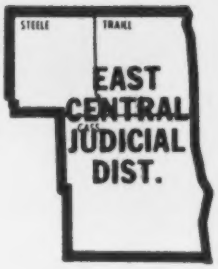
Projects for this year include developing a statistical base for probation services and court referral, development of an intensive supervision program for seriously delinquent youth, and expansion of our community service program.

NORTHEAST CENTRAL JUDICIAL DISTRICT CASELOAD FOR CALENDAR YEARS 1989 AND 1990

	1990	1989	Percent Difference
New Filings	3,334	2,865	+16.4
Civil	2,768	2,392	+15.7
Criminal	280	238	+17.6
Juvenile	286	235	+21.7
Cases Carried Over From Previous Year	1,232	1,195	+3.1
Civil	1,121	1,107	+1.3
Criminal	111	88	+26.1
Juvenile	—	—	—
Total Cases Docketed	4,566	4,060	+12.5
Civil	3,889	3,499	+11.1
Criminal	391	326	+19.9
Juvenile	286	235	+21.7
Dispositions	3,244	2,828	+14.7
Civil	2,687	2,378	+13.0
Criminal	271	215	+26.0
Juvenile	286	235	+21.7
Cases Pending As Of December 31	1,322	1,232	+7.3
Civil	1,202	1,121	+7.2
Criminal	120	111	+8.1
Juvenile	—	—	—

Report of the East Central Judicial District

The Honorable Norman J. Backes, Presiding Judge
Eloise M. Haaland, Administrative Assistant



District Court Judges: Norman J. Backes, Presiding Judge; Lawrence A. Leclerc; Michael O. McGuire; and Cynthia A. Rothe
County Court Judges: Georgia Dawson; Frank Racek; and Jonal Uglem
Number of Counties in District: 3
District Court Chambers: Fargo

District Court:

The Judges of the district court continue to process the largest case load in the state, having a disposition rate of 1,061 cases per judge. The district's total for new filings in 1990 increased almost 9 percent over 1989. Motion practice increased 9 percent over the previous year. With the steady increase, however, the district continues to comply with the docket currency standards as set by the Supreme Court.

Fifty-eight certificates of readiness for jury trials were filed in 1990. Judges disposed of 52 jury cases through trial or settlement. One hundred sixty-three certificates of readiness for bench trials were filed in 1990. Judges disposed of 189 cases through trials or settlements.

Juvenile Court:

Approximately 2,000 cases were handled in juvenile court. We are in the process of implementing a diversion area program for first-time offenders utilizing videotapes which are appropriate for adolescent offenders. Staff personnel have implemented an attendant care program within the community, which included training law enforcement officers in the utilization of attendant care as an alternative to secure detention.

Our staff has also been involved in preparing a shelter care proposal for Cass County to address the increase in referrals and simultaneously deal with a decrease in juvenile court staff. A restitution program continues to be successful; collections total approximately $20,000 in 1990.

Intern Program:

The district's intern program with Moorhead State University has continued to benefit college students who are studying a variety of subjects involving the legal profession. The students observe courtroom procedures and work closely with court and law enforcement personnel.

Personnel:

To promote the concept of centralized personnel and thereby more effectively utilize personnel, a secretary II position in juvenile court and the calendar control clerk position in district court were combined. Gladys Schmitt has assumed these duties. As the calendar control clerk, Ms. Schmitt now schedules all matters set before judges and juvenile referees for the entire District.

The court administrator duties have been assumed by Eloise Haaland, who is administrative assistant to the district court judges.

Community Involvement:

In an effort to educate local students about the operations and functions of the judicial system, our judges have given numerous lectures to grade school, junior high, and high school students. The district court judges participate in Moot Court and the Trial Advocacy Program at the UND Law School. The administrative assistant has conducted tours of the court chambers on numerous occasions.

Child Support:

The assistant state's attorneys in regional child support continue to meet with the obligors, at their option, in an effort to reach written settlement stipulations. This procedure has resulted in a reduction of court time. The Regional Child Support Office has commenced periodic reviews of child support orders. These reviews, coupled with the probable adoption of an income shares model of child support guidelines, will most likely increase the duration and number of court proceedings.

County Court:

County Court of Cass County continues to show an increase in case load with a 59.8 percent increase in civil filings and a 21.5 percent increase in criminal filings over 1989.

Traill County Court civil filings remained stable while criminal filings increased tremendously—198%.

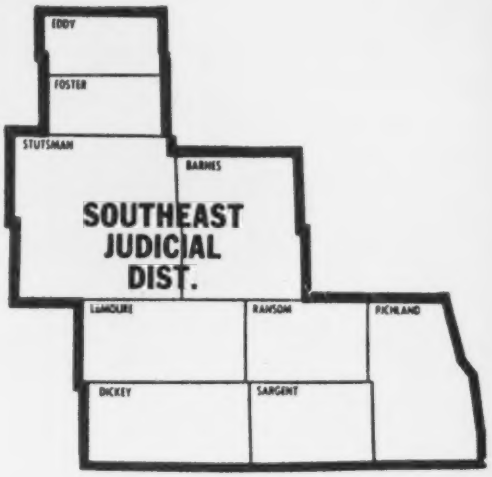
EAST CENTRAL JUDICIAL DISTRICT CASELOAD FOR CALENDAR YEARS 1989 AND 1990

	1990	1989	Percent Difference
New Filings	5,000	4,592	+8.9
Civil	3,804	3,712	+2.5
Criminal	462	334	+38.3
Juvenile	734	546	+34.4
Cases Carried Over From			
Previous Year	3,144	2,897	+8.5
Civil	2,999	2,765	+8.5
Criminal	145	132	+9.8
Juvenile	—	—	—
Total Cases Docketed	8,144	7,489	+8.7
Civil	6,803	6,477	+5.0
Criminal	607	466	+30.3
Juvenile	734	546	+34.4
Dispositions	4,934	4,345	+13.6
Civil	3,784	3,478	+8.8
Criminal	416	321	+29.6
Juvenile	734	546	+34.4
Cases Pending As Of			
December 31	3,210	3,144	+2.1
Civil	3,019	2,999	+0.7
Criminal	191	145	+31.7
Juvenile	—	—	—

Report of the Southeast Judicial District

The Honorable Robert L. Eckert, Presiding Judge
Marguerite Aldrich, Court Administrator

District Court Judges: Robert L. Eckert, Presiding Judge; Gordon O. Hoberg; and John T. Paulson.
County Court Judges: James M. Bekken; Mikal Simonson; Harold B. Herseth; Bayard Lewis; Gary D. Neuharth; and Lowell O. Tjon.
Number of Counties in District: 9
District Court Chambers: Wahpeton, Jamestown and Valley City.



Caseloads Increase:

Child support proceedings led all other categories of district court civil cases in increased filings, up 16% from last year. Criminal filings in both district and county court increased nearly 40% and juvenile court referrals increased 14%. Alcohol-related and theft offenses showed the largest increases in juvenile referrals.

Court Automation:

Computerization of child support processing was accomplished in one more county of the district in 1990. Barnes County installed the state-developed system in March. Richland and Stutsman Counties, which had used computerized child support processing for several years, converted to the state system from their earlier versions. Other counties in the district are awaiting funding to automate child support as well as other case management processing.

Jury Trials:

Rule 47(b) of the North Dakota Rules of Civil Procedure and Rule 24(b)(1) of the North Dakota Rules of Criminal Procedure were amended in January 1990 to reduce the number of peremptory challenges to which each side is entitled in civil and criminal trials. The effect of these amendments in 1990 was to reduce by 38% the number of jurors called for jury duty in the Southeast Judicial District resulting in corresponding savings in juror fees and mileage expenses.

Indigent Defense:

The Southeast Judicial District continued its pilot contract for indigent defense counsel services which began July 1, 1989. Two more counties in the central part of the district were added to the contract on July 1, 1990 so that one-third of the district is now covered by contract. Preliminary evaluation indicates that contracting has been cost-effective for the counties covered. The over-all indigent defense expense for the district was 30% lower in 1990 than in 1989.

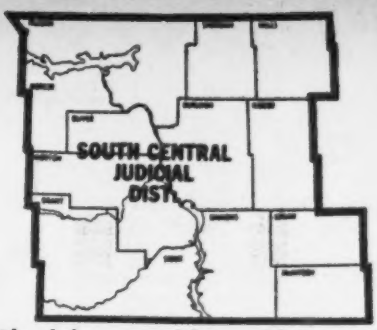
Judicial Elections:

Two district judges, Gordon O. Hoberg of Jamestown and Robert L. Eckert of Wahpeton were re-elected without opposition in the November 1989 general election. Two new Southeast Judicial District county judges were elected in contested races. In Richland County in the southeast corner of the district, Hal Stutsman was elected to fill the vacancy created when the incumbant county judge, Bayard Lewis, retired after twelve years on the bench. In another contested race in the southwest area of the district, Ronald E. Goodman was elected county judge for LaMoure County and Dickey County over the incumbant, Gary Neuharth. These two counties share the services of the county judge through a multi-county agreement.

SOUTHEAST JUDICIAL DISTRICT CASELOAD FOR CALENDAR YEARS 1989 AND 1990

	1990	1989	Percent Difference
New Filings	1,902	1,825	+4.2
Civil	1,537	1,524	+0.9
Criminal	183	112	+63.4
Juvenile	182	189	-3.7
Cases Carried Over From Previous Year	768	795	-3.4
Civil	665	691	-3.8
Criminal	103	104	-1.0
Juvenile	—	—	—
Total Cases Docketed	2,670	2,620	+1.9
Civil	2,202	2,215	-0.6
Criminal	286	216	+32.4
Juvenile	182	189	-3.7
Dispositions	1,881	1,852	+1.6
Civil	1,526	1,550	-1.5
Criminal	173	113	+53.1
Juvenile	182	189	-3.7
Cases Pending As Of December 31	789	768	+2.7
Civil	676	665	+1.7
Criminal	113	103	+9.7
Juvenile	—	—	—

Report of the South Central Judicial District



The Honorable Benny A. Graff, Presiding Judge
Ted Gladden, Court Administrator

District Court Judges: Benny A. Graff, Presiding Judge; Gerald G. Glaser; Larry M. Hatch; William F. Hodny; and Dennis A. Schneider
County Court Judges: James M. Bekken; Donavin L. Grenz; Gail Hagerty; Burt L. Riskedahl; Thomas J. Schneider; and O.A. Schulz
Number of Counties in District: 13
District Court Chambers: Bismarck, Mandan and Linton

District Court:

The judges of the district court continue to process a large caseload from the largest geographical district in the state. The average length of time from filing to disposition of the 336 contested court trials was 5 months. This represented a decrease from 5.7 months in 1989. Civil jury cases required 13.4 months from filing to disposition on the average. This is a substantial reduction from the 22.1 months required in 1989. The judges of the district court disposed of 1,761 non-contested civil cases, which required an average 3.5 months to process. The number of non-contested civil matters and processing time were the same as 1989. The practice of allowing stipulated divorces to be disposed of by affidavit, when there is a property settlement and agreement, is cost effective and expeditious for the parties. This policy eliminates the need for unnecessary court appearances by litigants and attorneys.

Overall, the civil caseload increased 6.3% from 3,531 cases in 1989 to 3,755 cases in 1990. There was a slight decrease in the criminal filings of 4.7%. The reduction was from 392 cases in 1989 to 375 cases in 1990. Of the criminal matters 327 were disposed of through plea agreements. These required an average of 93 days from bind over to disposition.

The judges continue to actively monitor the districts jury management system. As a result, the jury panel size has been reduced providing a savings. The practice of a modified one day, one trial policy has worked well and will be continued.

Administrative Activities:

The case management system being used for non-routine civil cases is operational. This system, in place for just one year, assures early identification and assignment of non-routine and generally more complex civil litiation. The assignment process has met with acceptance from the local bar association. Time frames are set for non-routine cases through an initial conference and subsequent pretrial conferences to trial.

By the end of 1990 the Uniform Court Information System (UCIS) was ready for implementation in the Bismarck Municipal Court, Burleigh County Court, and Burleigh County Clerk of District Court's office. This comprehensive information system assures that the case filing, management, calendaring, judgment docketing, child support, and financial management of all cases processed in any of these offices is integrated in the one system. In the last quarter of the year, the district court administrator's office worked with the computer committee and consultants to begin the process of assuring that the system will meet the needs of their office for district-wide case management. 1991 will see further applications to the juvenile court, administrative offices, district judges offices and transfer of data to the State Department of Transportation.

Phase two of the Morton County Courthouse remodeling project was completed with a formal dedication on Law Day, May 1, 1990. With its completion, there are two courtrooms, a law library, and chambers for two district judges and their support staff on the third floor of the courthouse. All clerk of court functions are now conducted through two offices on the second floor.

Juvenile Division and Judicial Referee Activities:

2,699 cases were referred to the Juvenile Court in 1990. Of the total, 770 children were referred back to the Bismarck-Mandan Police Youth Bureau for informal dispostion. 278 temporary orders were issued in which children were placed in temporary alternative settings outside of the parental home. Of the total number of referrals, 470 involved children alleged to be abused or neglected and who were subject to social service protective investigations.

Two judicial referees conducted 316 hearings on child support related matters. There were 471 formal petitions filed during the year. The vast majority of petitions filed result in referee hearings.

Three probation officers averaged 37 cases each during any given time. An active case is a child who is placed on informal or formal probationary status and who would be subject to conditions affecting his or her conduct.

County Court:

The work of the county courts of the judicial district is substantial. The six county judges handle the largest caseload of any judicial district in the state. As in past years, the largest volume of the cases heard by the county judges continues to be in the counties of Burleigh and Morton.

During 1990 there was a modification so that the county judges are now hearing juvenile matters for the district court in the counties of Emmons, Grant, Kidder, Logan, McIntosh, and Wells. The county judges are also hearing child support and pretrial paternity matters in all counties except Burleigh and Morton. Assigning these matters to county judges allows for scheduling with the regular county workload. This change reduces the costs of having to schedule judicial referees to the outlining areas as frequently. The new procedure assures timely setting of child support and related matters.

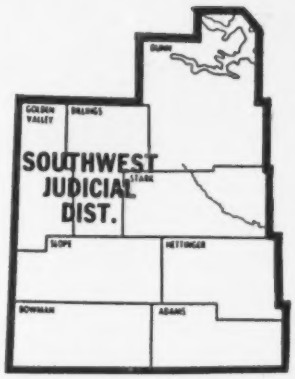
SOUTH CENTRAL JUDICIAL DISTRICT CASELOAD FOR CALENDAR YEARS 1989 AND 1990

	1990	1989	Percent Difference
New Filings	4,630	4,319	+7.2
Civil	3,755	3,531	+6.3
Criminal	375	392	-4.3
Juvenile	500	396	+26.3
Cases Carried Over From			
Previous Year	1,483	1,493	-0.7
Civil	1,328	1,332	-0.3
Criminal	155	161	-3.7
Juvenile	—	—	—
Total Cases Docketed	6,113	5,812	+5.2
Civil	5,083	4,863	+4.5
Criminal	530	553	-4.2
Juvenile	500	396	+26.3
Dispositions	4,514	4,329	+4.3
Civil	3,632	3,535	+2.7
Criminal	382	398	-4.0
Juvenile	500	396	+26.3
Cases Pending As Of			
December 31	1,599	1,483	+7.8
Civil	1,451	1,328	+9.3
Criminal	148	155	-4.5
Juvenile	—	—	—

Report of the Southwest Judicial District

The Honorable Maurice R. Hunke, Presiding Judge
Ardean Ouellette, Court Administrator

District Court Judges: Maurice R. Hunke, Presiding Judge; Allan L. Schmalenberger; and Donald L. Jorgensen.
County Court Judges: William McLees; Ronald L. Hilden; and F. Gene Gruber.
Number of Counties in District: 8
District Court Chambers: Dickinson and Hettinger



The Docket Is Current!

It is well known in the judiciary and the legal profession that the North Dakota docket currency standards provide that civil cases should reach final disposition by entry of judgment within 24 months from the date of filing. It is not as well known how constant is the struggle of court administrators and presiding judges in pursuit of compliance with those docket currency standards! Those constant efforts finally paid off in the Southwest District. The docket currency report for the month of November, 1990, revealed for the first time in the history of our docket currency system there were no civil cases older than 24 months in the Southwest District.

Congratulations for that achievement are extended to Court Administrator Ardean Ouellette and the members of the bar of this district. Since that historic date we have had a few cases slip over the 24 month standard, but we are confident that we will meet our new goal of no civil litigation older than 21 months by the end of calendar year 1991.

Caseload:

Our goals in docket currency were met during 1990 notwithstanding a significant increase in new case filings, as indicated on the accompanying chart. Although there was an increase in the total number of new civil cases, we were pleased to note a sharp decline in the number of real estate mortgage foreclosure cases. The large number of mortgage foreclosures we processed during the past few years were a measure of the painful economic stress we encountered. The decline in foreclosures is regarded as a reliable indicator of improvement in the agricultural and energy sectors of our area economy.

We expect that our civil, criminal, and juvenile court caseload during 1991 will stabilize near the average of what we have experienced during the past 3 years.

New Personnel:

During June of 1990 we welcomed to our district court staff at Dickinson Secretary Shelly Michaelson. She replaced Carol Degenstein who accepted a legal assistant position with a local law firm. Later in the year County Judge Tom M. Beyer left us to accept a position with the legislative staff in the State of Nevada. Judge Beyer had served the counties of Billings, Dunn and Golden Valley. A new multi-county judge agreement was entered into among those three counties and McKenzie County. The resulting combined county judgeship was filled through the special appointment of McKenzie County Judge William W. McLees, who was then elected during the general election of November, 1990. We welcome both Judge McLees and Secretary Michaelson to the administration of justice in Southwestern North Dakota!

Contemplating Court Consolidation:

One year ago the printing process for the publication in which this report appears inadvertently deleted the concluding paragraph of the report of this district. That deleted paragraph included this prognostication: "Efficient utilization of the limited resources available suggest that consolidation of the district and county courts into a single trial court jurisdiction, or some modified form of consolidation, may be the solution for the future."

The recently adjourned session of the legislature converted that predicted future into the present with the passage of House Bill 1517. All of us in the judiciary will now need to work together to bring about the adjustments and refinements which will be necessary to provide adequate judicial services to all citizens of North Dakota.

SOUTHWEST JUDICIAL DISTRICT CASELOAD FOR CALENDAR YEARS 1989 AND 1990

	1990	1989	Percent Difference
New Filings	1,720	1,404	+22.5
Civil	1,528	1,219	+25.3
Criminal	96	101	-5.0
Juvenile	96	84	+14.3
Cases Carried Over From Previous Year	476	479	-0.6
Civil	429	446	-3.8
Criminal	47	33	+42.4
Juvenile	—	—	—
Total Cases Docketed	2,196	1,883	+16.6
Civil	1,957	1,665	+17.5
Criminal	143	134	+6.7
Juvenile	96	84	+14.3
Dispositions	1,635	1,407	+16.2
Civil	1,464	1,236	+18.4
Criminal	75	87	-13.8
Juvenile	96	84	+14.3
Cases Pending As Of December 31	561	476	+17.9
Civil	493	429	+14.9
Criminal	68	47	+44.7
Juvenile	—	—	—

COUNTY COURTS

County courts in North Dakota are funded by the counties. They are courts of record, served by full-time county judges who must be licensed lawyers.

There are twenty-six county judges in North Dakota. Most of these judges serve more than one county. Counties are authorized to enter into multi-county agreements with one another for the services of one or more county judges. These agreements are negotiated every four years among the counties. Most of these multi-county county courts operate within the boundaries of a single judicial district. The single exception is a recent agreement among McKenzie, Golden Valley, Billings and Dunn counties which crosses the Northwest and Southwest Judicial Districts lines.

Many counties are also served by magistrates. Because many county judges serve more than one county, they cannot always be in each county when they are needed. To assure continuity of judicial services in the judge's absence, the judge may appoint a magistrate to handle preliminary matters in the county until the judge returns. Through an administrative rule, the Supreme Court has established the qualifications, authority, mandatory training, and procedures governing magistrates. The county judge may delegate authority to magistrates to solemnize marriages, issue search warrants, preside at initial appearances in criminal cases and other duties. In several counties, the county judge has appointed the clerk of the district court as the magistrate for that county.

The county courts are limited jurisdiction courts. They have original and exclusive jurisdiction in probate, testamentary, guardianship, and mental health commitment cases. They have concurrent jurisdiction with municipal courts in traffic cases and concurrent jurisdiction with the district courts in trust and civil cases where the amount in controversy does not exceed $10,000. County judges also preside at the preliminary hearing in criminal felony cases before the case is turned over to the district court. The presiding judge of each judicial district may also assign a county judge to hear any district court case filed in the district.

County courts act as small claims courts in North Dakota. The jurisdictional limit for a small claims case is $2,000. There is no appeal from a decision of the county court when it is acting in its capacity as a small claims court. All decisions of the county courts in such instances are final.

County court judges have the same general power and authority as district court judges. Moreover, the rules of practice and procedure governing district court proceedings also apply to county court proceedings.

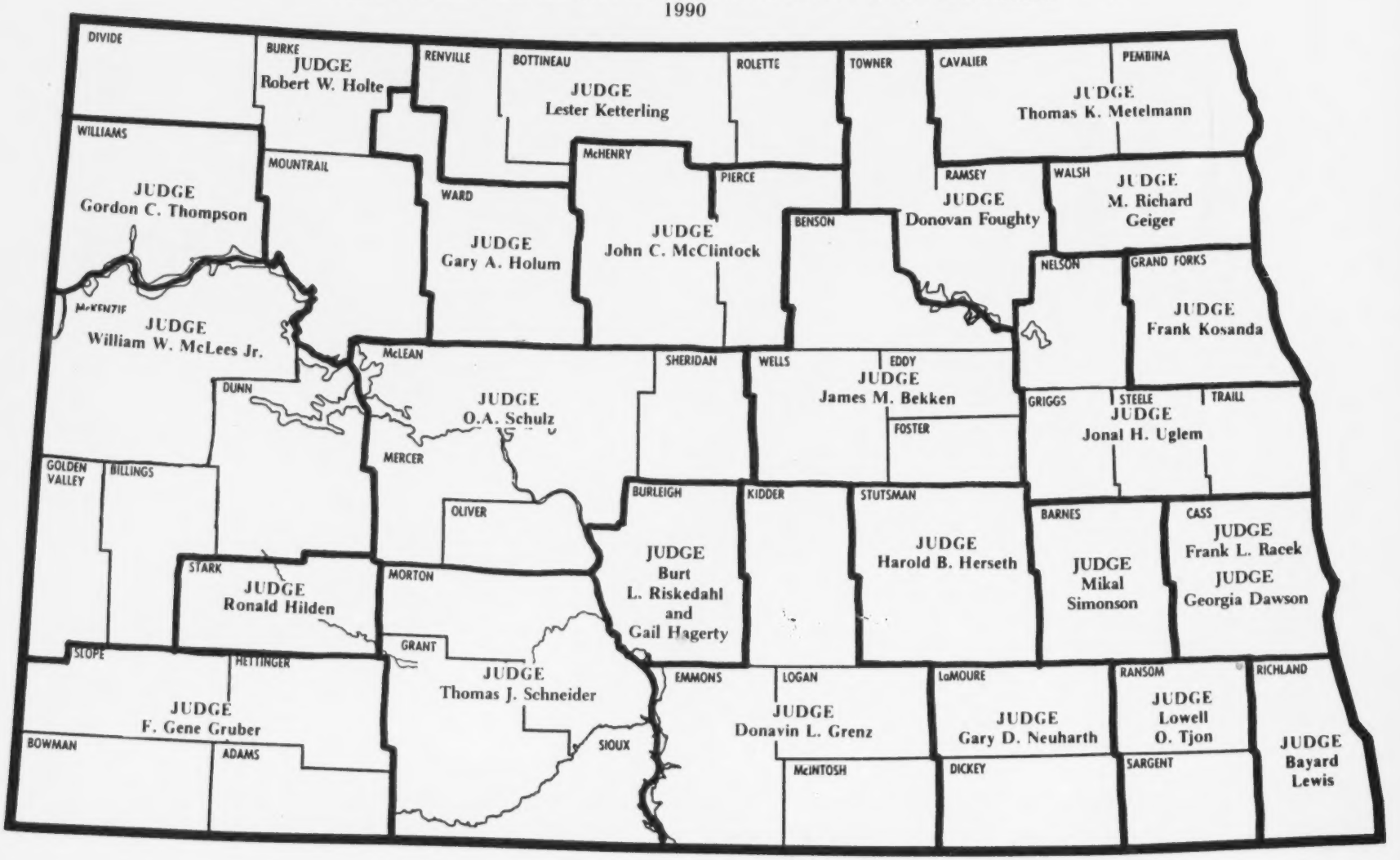
In addition to its trial court duties, county courts also serve as the appellate courts for appeals from municipal courts. All appeals from municipal courts to county courts are trial de novo appeals. In other words, when a municipal court case is appealed to the county court, a new trial is held in the county court. New trials are required in county courts because municipal courts do not maintain an official record of their proceedings. Appeals from the county court go directly to the Supreme Court.

In counties with a population over 25,000, the county judge has the authority to appoint a clerk of county court. In counties with a population less than 25,000, the clerk of district court also serves as the clerk of the county court.

In 1987, the Legislative Assembly provided that cities and counties could agree that the county court would hear all municipal ordinance violation cases of the city and that all municipal court cases in which the defendant fails to waive the right to a jury trial shall be heard in county court.

The office of county judge is an elected position, filled every four years in a nonpartisan election. If a vacancy occurs, the county commissioners can either fill the vacancy by selecting a candidate from a list of nominees submitted by a judicial nominating committee or by calling a special election to fill the vacancy. If the vacancy is filled by the nomination process, the appointed judge only serves until the next general election, at which time the office is filled by election for the remainder of the term. In those counties which share the services of a county judge, the judge is elected by the eligible voters of the participating counties. The appointment of a county judge to serve a multi-county area must be approved by a majority vote of each board of county commissioners of the counties involved.

COUNTY JUDGES AND COUNTY COURT MULTI-COUNTY AGREEMENT AREAS
1990



County Court Caseload

The breakdown of the county court caseload indicates a slight decrease (4.3%) in the filings of cases in county court. This decrease followed a decrease (10.2%) in 1989. The caseload continues to be predominately noncriminal traffic followed by criminal, small claims, and other civil and probate. The decrease in filings and numbers are attributable to a 12.3% decrease in the noncriminal traffic category. Civil filings actually increased by 4.4% and criminal cases increased by 14.4%. Mental health hearings increased by 2.5% following a 5% decrease in 1989. Filings in small claims court decreased by 6%, following a 9% decrease in 1989, and a 1% decrease in 1988.

SYNOPSIS OF COUNTY COURTS CASELOAD FOR 1989 AND 1990

	1990	1989	Percent Difference
New Filings	88,535	92,506	-4.3
Civil	16,269	15,590	+4.4
Criminal	20,570	17,978	+14.4
Noncriminal Traffic	51,696	58,938	-12.3
Cases Carried Over From Previous Year	27,040	25,799	+4.8
Civil	22,145	20,979	+5.6
Criminal	4,895	4,820	+1.6
Noncriminal Traffic	—	—	—
Total Cases Docketed	115,575	118,305	-2.3
Civil	38,414	36,569	+5.0
Criminal	25,465	22,798	+11.7
Noncriminal Traffic	51,696	58,938	-12.3
Dispositions	87,300	91,265	-11.7
Civil	15,427	14,424	+7.0
Criminal	20,177	17,903	+12.7
Noncriminal Traffic	51,696	58,938	-12.3
Cases Pending As Of December 31	28,275	27,040	+4.6
Civil	22,987	22,145	+3.8
Criminal	5,288	4,895	+8.0
Noncriminal Traffic	—	—	—

TYPES OF CASES FILED IN THE COUNTY COURT IN 1990

COUNTY COURT FILINGS AND DISPOSITIONS FOR 1990

	Felony		Misdemeanor		Total Non-criminal Traffic	Small Claims		Probate		Guardianship/ Conservatorship		Other Civil		Mental Health & Emerg. Commit.
	(F)	(D)	(F)	(D)		(F)	(D)	(F)	(D)	(F)	(D)	(F)	(D)	
Adams	6	4	111	96	259	54	54	31	27	3	5	26	35	2
Barnes	23	25	480	479	1,635	175	178	80	14	6	0	49	48	47
Benson	7	8	155	149	954	65	62	26	6	4	0	26	25	5
Billings	8	2	50	36	262	5	3	12	5	0	0	2	2	4
Bottineau	9	18	262	228	928	70	62	80	42	4	0	25	27	24
Bowman	0	0	52	63	184	49	39	47	49	4	3	28	26	2
Burke	0	0	89	92	196	17	17	60	35	3	1	18	16	5
Burleigh	230	212	1,417	1,422	4,822	363	363	156	156	32	23	686	642	137
Cass	351	352	2,544	2,462	6,167	1,538	1,483	263	116	121	137	1,488	1,448	460
Cavalier	19	20	152	147	574	48	45	64	28	4	4	39	37	6
Dickey	12	13	114	127	690	92	89	31	30	6	3	28	31	8
Divide	2	0	44	57	138	12	12	59	24	15	5	6	7	2
Dunn	10	17	143	154	815	27	31	25	23	4	1	20	19	4
Eddy	2	2	36	35	235	38	35	14	16	3	1	11	7	1
Emmons	4	5	64	63	279	31	35	25	11	3	1	15	14	1
Foster	3	3	96	99	486	37	42	28	17	3	1	16	17	0
Golden Valley	1	0	57	56	93	24	20	31	21	3	12	5	5	0
Grand Forks	239	248	2,148	2,307	4,775	599	621	152	128	29	2	187	181	100
Grant	3	3	40	40	448	2	2	22	20	2	0	13	3	1
Griggs	3	2	179	170	428	19	20	17	11	2	2	18	17	0
Hettinger	3	3	26	24	163	20	20	32	15	2	2	21	21	0
Kidder	4	6	78	103	743	17	18	18	38	1	0	19	16	2
LaMoure	1	1	54	56	593	60	49	35	14	1	0	18	19	5
Logan	2	3	32	36	167	8	7	18	12	1	4	11	11	3
McHenry	4	4	145	141	885	44	41	55	19	4	0	34	41	16
McIntosh	6	5	37	27	141	16	16	28	10	6	0	17	21	1
McKenzie	7	11	213	224	149	46	32	55	36	6	12	40	45	16
McLean	11	12	272	298	2,051	52	46	55	28	12	24	55	51	7
Mercer	16	18	225	263	1,278	96	88	32	29	8	0	64	65	21
Morton	63	73	818	696	2,445	233	226	95	29	15	0	252	266	116
Mountrail	3	6	118	160	461	59	59	83	71	1	2	31	21	27
Nelson	0	0	113	122	513	35	36	47	14	4	0	16	14	5
Oliver	7	6	33	39	213	10	11	13	5	3	1	8	7	4
Pembina	14	16	329	356	773	42	46	82	72	3	3	71	68	15
Pierce	14	14	180	157	529	82	78	61	52	6	4	26	27	8
Ramsey	39	37	573	641	1,885	234	226	71	220	11	2	76	78	20
Ransom	8	10	165	179	581	85	81	29	3	1	0	19	21	15
Renville	1	3	41	32	232	18	12	30	20	3	1	15	15	4
Richland	28	31	434	454	1,438	196	197	112	81	12	9	71	71	33
Rolette	20	26	368	392	463	62	57	30	8	4	0	27	27	7
Sargent	0	0	79	63	472	41	44	25	18	6	1	8	9	1
Sheridan	1	1	17	17	62	8	9	11	5	2	0	6	7	0
Sioux	4	4	5	10	6	2	2	4	5	0	0	10	9	4
Slope	0	0	31	31	136	0	0	11	13	0	0	3	5	0
Stark	91	93	1,039	1,059	1,826	187	186	111	82	22	86	191	206	87
Steele	0	0	0	0	0	8	7	30	27	1	0	0	0	1
Stutsman	127	126	1,422	1,397	2,564	169	177	85	51	29	0	173	175	165
Towner	13	11	133	147	407	38	43	28	18	5	4	22	22	2
Traill	55	56	296	274	464	107	108	77	25	3	2	43	44	17
Walsh	43	46	1,042	907	1,470	202	200	83	102	10	5	151	146	41
Ward	133	148	943	1,221	2,305	472	462	163	425	38	31	360	397	214
Wells	3	3	43	48	318	79	78	45	46	4	0	18	18	3
Williams	83	77	529	537	1,595	229	192	152	103	29	5	196	190	67
TOTAL	1,736	1,784	18,066	18,393	51,696	6,222	6,067	3,029	2,475	504	399	4,778	4,750	1,736

Municipal Courts

There are approximately 360 incorporated cities in North Dakota. Of the total municipalities, approximately 112 cities have municipal courts. There are approximately 102 judges serving in these 112 municipalities. State law permits an individual to serve more than one city as a municipal judge.

In 1981, the Legislature amended the state law pertaining to municipalities to allow each municipality the option of deciding whether or not to have a municipal judge. Before this amendment, all incorporated municipalities were required to establish a municipal court.

In 1987, the Legislature amended the state law to permit county court judges to hear municipal ordinance violation cases and to permit cities to contract with counties to provide municipal ordinance violation court services.

Municipal judges have jurisdiction over all violations of municipal ordinances, except certain violations involving juveniles. Violations of state law are not within the jurisdiction of the municipal courts.

A municipal judge is elected for a four-year term. The judge must be a qualified elector of the city, except in cities with a population below 5,000. In cities with a population of 5,000 or more, the municipal judge is required to be a licensed attorney, unless an attorney is unavailable or not interested in serving. At present, there are approximately 26 legally-trained and 76 lay municipal judges in the state. Vacancies that occur between elections are filled by appointment by the municipality's governing body.

State law requires that each municipal judge attend at least two educational seminars conducted by the Supreme Court in each calendar year. If a municipal judge fails to meet this requirement without an excused absence from the Supreme Court, the judge's name is referred to the Judicial Conduct Commission for disciplinary action.

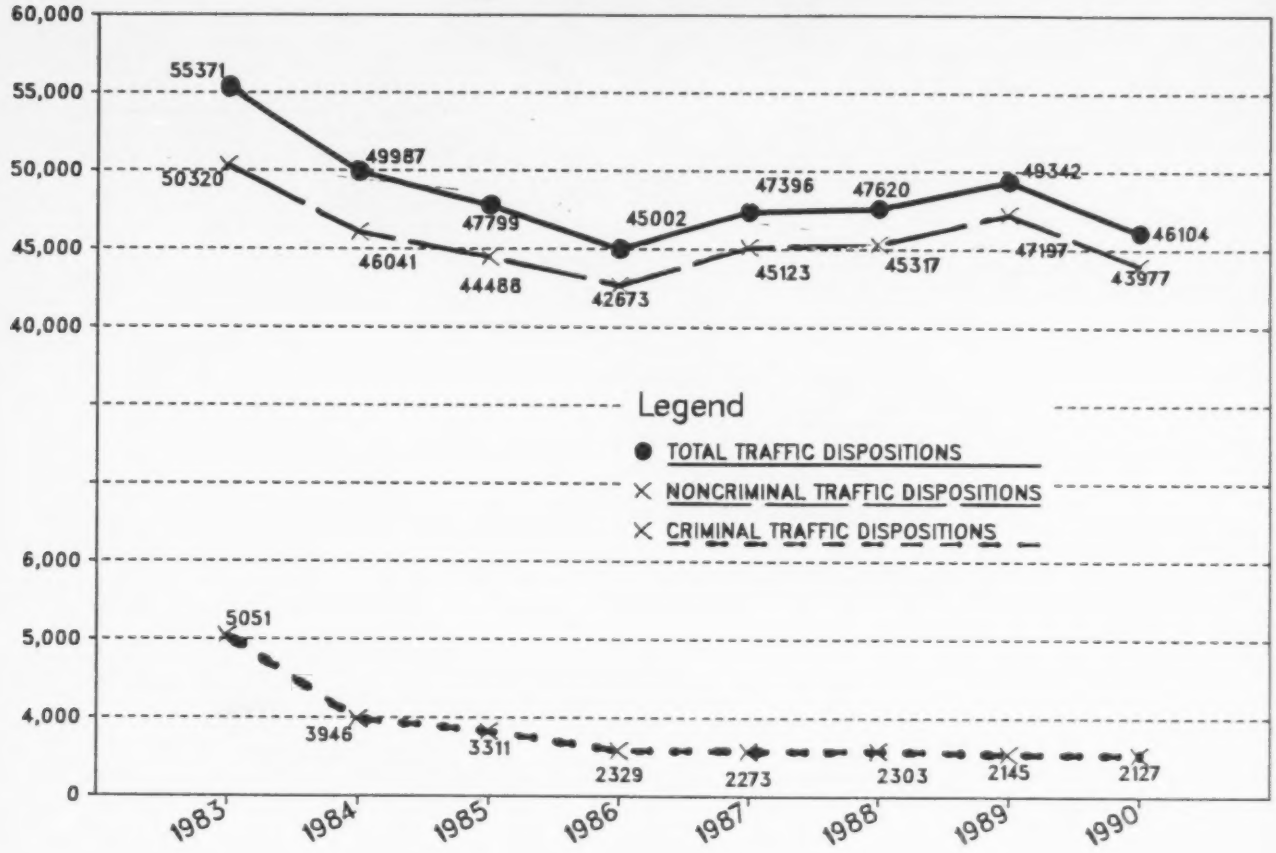
Most of the traffic caseload of the municipal courts consists of noncriminal traffic cases or administrative traffic cases. While these cases greatly outnumber the criminal traffic cases, they generally take much less time to process. There is not only a lesser burden of proof in noncriminal traffic cases than in criminal cases, most noncriminal traffic cases are disposed of by bond forfeitures. While judges are not needed to process bond forfeitures, support personnel in the clerk's office must account for every citation received by the court.

Although criminal traffic cases compose only a small percent of the caseload in municipal courts, they require more time and resources for their disposition than noncriminal traffic cases. Litigants are more likely to demand a trial in criminal traffic cases since the penalties for violation of criminal traffic laws are more severe than violations of noncriminal traffic laws. Moreover, the prosecutor also has a greater burden of proof in criminal traffic cases than in noncriminal traffic cases. In noncriminal traffic cases, the prosecutor must only prove each element of the offense by a preponderance of the evidence for conviction. In criminal traffic cases, the prosecutor must prove each element of the offense beyond a reasonable doubt.

COMPARISON OF MUNICIPAL COURT TRAFFIC DISPOSITIONS FOR CALENDAR YEARS 1989 AND 1990

Ten Municipalities With Highest Case Volume	Criminal Traffic Dispositions		Noncriminal Traffic Dispositions		Total Traffic Dispositions		Percent Difference
	1990	1989	1990	1989	1990	1989	
Bismarck	254	319	7,921	9,972	8,175	10,291	-20.6
Dickinson	63	72	1,853	1,869	1,916	1,941	-1.3
Fargo	411	318	5,009	4,916	5,420	5,234	+3.6
Grand Forks	339	360	4,031	4,693	4,370	5,053	-13.5
Jamestown	92	92	2,859	3,587	2,951	3,679	-19.8
Mandan	80	85	2,395	2,272	2,475	2,357	+5.0
Minot	247	238	8,470	8,661	8,717	8,899	-2.0
Wahpeton	62	78	810	864	872	942	-7.4
West Fargo	92	83	1,513	1,163	1,605	1,246	+28.8
Williston	108	124	1,938	2,347	2,046	2,471	-17.2
TOTAL	1,748	1,769	36,799	40,344	38,547	42,113	-8.5

COMPARISON OF MUNICIPAL COURT TRAFFIC DISPOSITIONS FOR 1983-1990



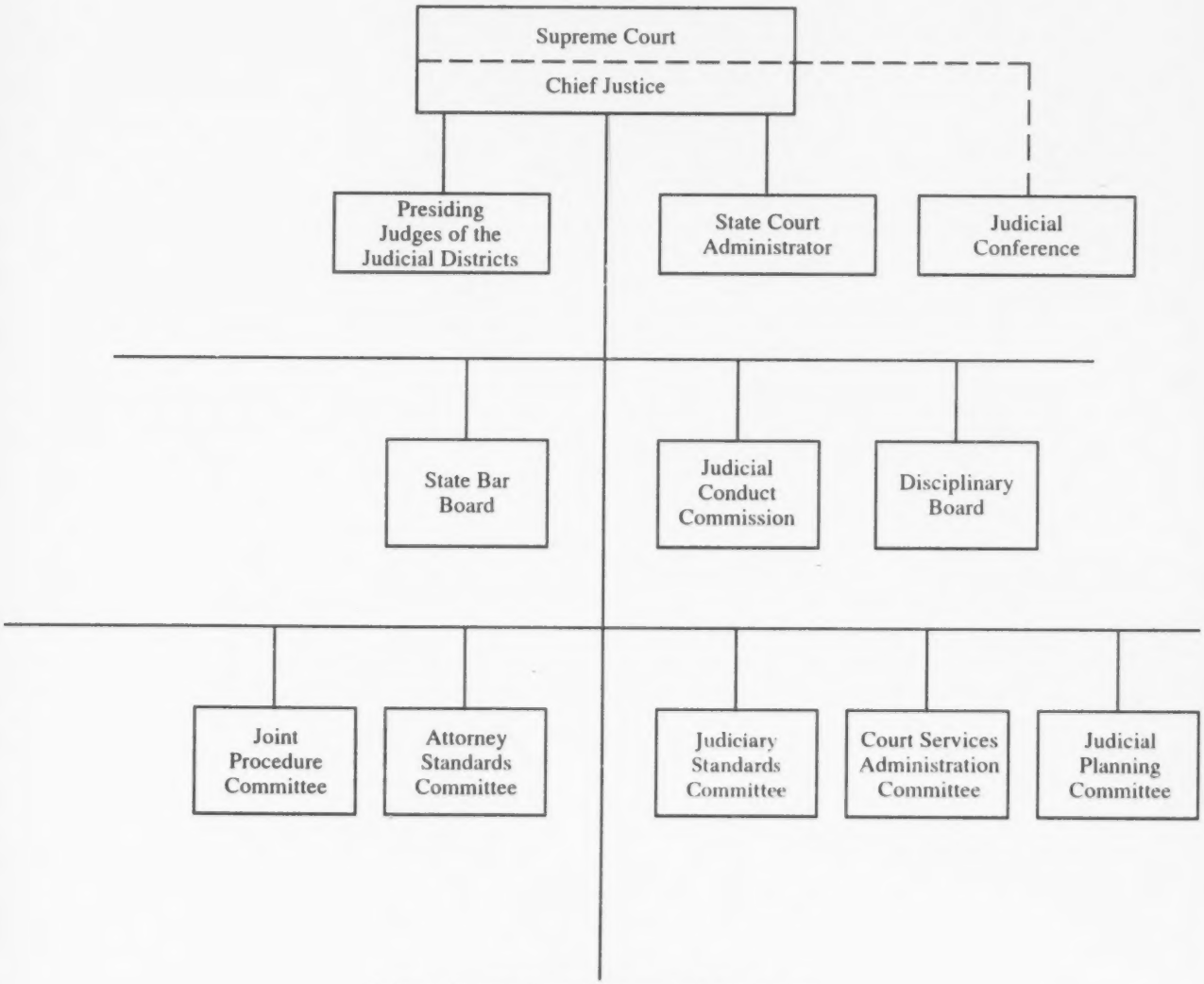
Administration of the Judicial System

Ultimate responsibility for the efficient and effective operation of the judicial system resides with the Supreme Court. The constitution has emphasized the Supreme Court's administrative responsibility for the judicial system by designating the chief justice as the administrative head of the judicial system. In addition, the state constitution also grants the Supreme Court supervisory authority over the legal profession. Article VI, Section 3 states that the Supreme Court shall have the authority, "unless otherwise provided by law, to promulgate rules and regulations for the admission to practice, conduct, disciplining, and disbarment of attorneys at law."

To help it fulfill these administrative and supervisory responsibilities, the Supreme Court relies upon the state court administrator, presiding judges, and various advisory committees, commissions and boards. The functions and activities of these various bodies during 1990 are described in the subsequent pages of this report.

A diagram of the administrative organization of the North Dakota judicial system is provided below.

ADMINISTRATIVE ORGANIZATION OF THE
NORTH DAKOTA JUDICIAL SYSTEM



Office of State Court Administrator

Article VI, Section 3 of the North Dakota Constitution authorizes the chief justice of the Supreme Court to appoint a court administrator for the unified judicial system. Pursuant to this constitutional authority, the Supreme Court has outlined the powers, duties, qualifications and term of the state court administrator in an administrative rule. The duties delegated to the state court administrator include assisting the Supreme Court in the preparation of the judicial budget, providing for judicial education services, coordinating technical assistance to all levels of courts, planning for statewide judicial needs, and administering a personnel system.

Judicial Education:

Under the guidance and supervision of the Judicial Conference Committee on Judicial Training, the Office of State Court Administrator develops and coordinates training programs for all levels of judicial and court support personnel. In addition, a number of other professional development and information activities are coordinated and conducted under the auspices of the State Court Administrator. These activities are described in greater detail in the section of this report which discusses the activities of the committee.

Research and Planning:

Staff services are provided to the Judicial Planning Committee and other advisory committees of the Supreme Court by the planning staff in the State Court Administrator's office. The duties of these staff personnel include research, bill drafting, rule drafting, arrangement of committee meetings, and such other tasks that are assigned by the various committees. Specific activities and projects of the different Supreme Court standing committees are provided in a latter section of this report.

Personnel Management:

The state funding of most district court employees in 1981 significantly increased the personnel management responsibilities of the State Court Administrator. To insure uniformity in personnel administration across districts, personnel policies and a pay and classification plan for district court employees were developed under the direction of the State Court Administrator.

Fiscal Responsibilities:

One of the State Court Administrator's primary administrative responsibilities is the management of the judicial budget. As the budget director for the judicial system, he is responsible for the coordination and preparation of the Supreme Court and District Court budgets, preparation and analysis of monthly budget status reports, the development of budgetary policies for the judiciary, and the maintenance of payroll records for judges and court personnel.

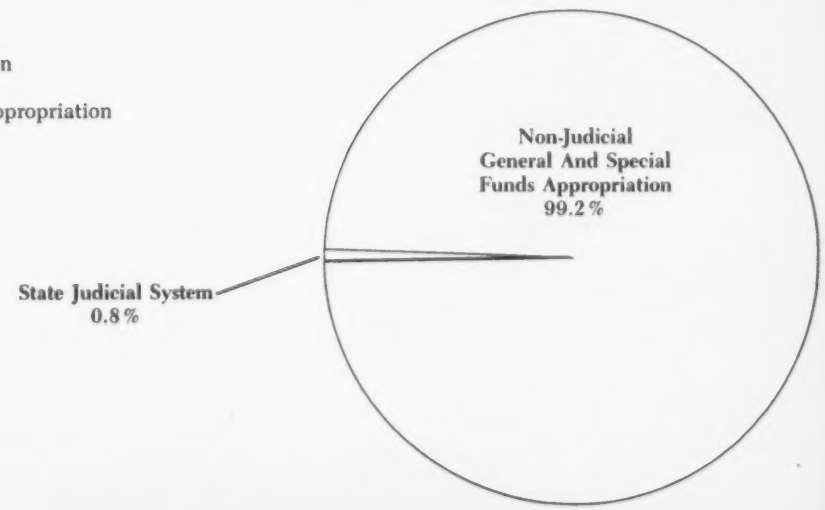
Even with the addition of most district court expenses to the judicial budget, the judicial budget constitutes only a small portion of the state's total budget for the 1989-91 biennium. However, this is not to say that the budgetary impact of the additional expenses has been minimal. Since the absorption of most district court expenses by the state in 1981, the judicial portion of the state's budget has doubled.

The impact of the state's funding of nearly all district court expenses can also be seen in the way in which the judicial budget is allocated. Whereas the Supreme Court portion of the judicial budget used to be over 40 percent, now it is less than 23 percent.

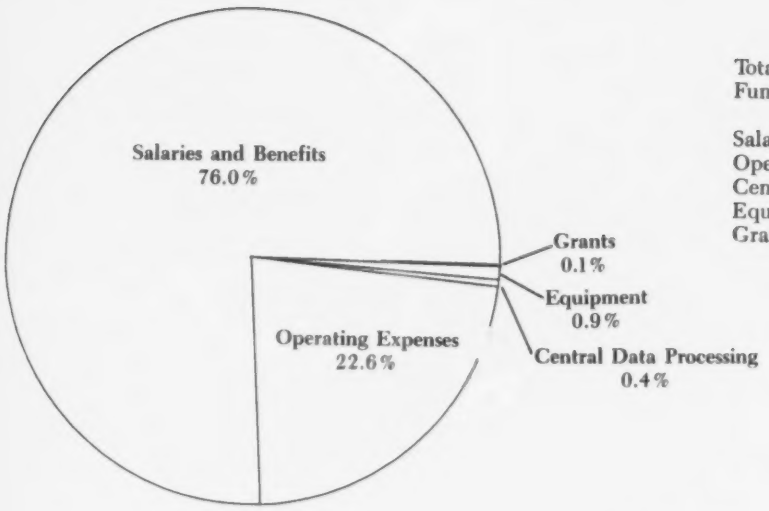
In viewing the judicial budget, it should be noted that it does not include the salaries of district court clerks and deputy clerks or any county court or municipal court expenditures. District court clerk expenses and county court expenses are funded by county government in North Dakota. Likewise, municipal courts are funded by the particular municipalities they serve.

JUDICIAL PORTION OF THE STATE'S BUDGET
1989-91 BIENNIUM

Total General and Special Funds Appropriation
$2,850,417,431
Judicial System General and Special Funds Appropriation
$23,016,230



STATE JUDICIAL SYSTEM APPROPRIATION
BY APPROPRIATED LINE ITEM
1989-91 BIENNIUM

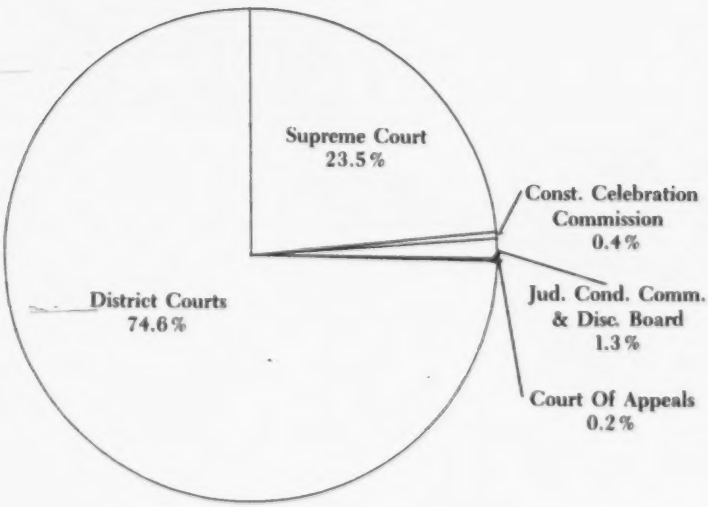


Total Judicial System General and Special Funds Appropriation
$20,130,589

Salaries and Benefits	$17,492,794
Operating Expenses	5,197,961
Central Data Processing	102,500
Equipment	197,975
Grants	25,000

STATE JUDICIAL SYSTEM APPROPRIATION
BY TYPE OF ACTIVITY
1989-91 BIENNIUM

Supreme Court	
General Fund	$5,190,308
Special Funds	213,300
TOTAL	$5,403,608
District Courts	
General Fund	$17,031,208
Special Funds	142,332
TOTAL	$17,173,540
Court of Appeals	
General Fund	$42,000
Special Funds	—
TOTAL	$42,000
Judicial Conduct Commission & Disciplinary Board	
General Fund	$237,082
Special Funds	60,000
TOTAL	$297,082
Constitutional Celebration Committee	
General Fund	$ 50,000
Special Funds	50,000
TOTAL	$100,000



Advisory Committees of the North Dakota Judicial System:

To assist in its administrative supervision of the North Dakota judicial system, the Supreme Court utilizes the services of numerous advisory committees. These committees address specific problem areas within their study scope and recommend solutions to the Supreme Court.

Four of these committees — the joint procedures committee, the attorney standards committee, the judiciary standards committee, and the court services administration committee — were established by the Supreme Court in 1978 as a part of its rulemaking process within the North Dakota judicial system. One of these committees, the joint procedure committee, existed before the Supreme Court adopted its 1978 rulemaking process.

Other committees of the North Dakota judicial system include the judicial planning committee, the personnel advisory board, the judicial training committee of the North Dakota judicial conference, the North Dakota legal counsel for indigents commission, and the council of presiding judges. The constitutional celebration committee was established for the period 1988-91. In 1989 and 1990, all committees experimented with telephone conference call meeting formats, in a cooperative effort to reduce meeting costs while maintaining committee consultation and advisory functions.

The activities of these advisory committees during 1990 are summarized here:

Joint Procedure Committee:

The Joint Procedure Committee reviews court procedural and evidentiary rules and proposes amendments to existing rules or the adoption of new rules to the Supreme Court. The Committee is chaired by Justice H.F. "Sparky" Gierke and its membership is composed of ten judges and ten attorneys.

Since publication of the bound volume of rules in 1990, the Joint Procedure Committee has approved for recommendation to the Supreme Court proposed legislation regarding Contempt of Court amendments to Civil Rules 5 and 6 and proposed Rule of Court 2.2 regarding the use of facsimile transmission for service and filing of documents at the trial court level, amendments to Civil Rule 35 and Criminal Rule 41 which track the federal rules, and amendments to Civil Rule 33 regarding interrogatories and Rule of Court 11.1 regarding nonresident attorneys. The Committee is currently studying venue, motion practice, the sealing of court records, public access to court records and original jurisdiction proceedings.

Attorney Standards Committee:

The Attorney Standards Committee is chaired by Vern C. Neff, Williston.

All meetings of the Committee have been by telephone conference call because of budget constraints. The Committee has had a number of subcommittees studying issues affecting the public and the Bar. These include rules affecting client trust account security; adoption of a new lawyer pledge by the Court on recommendation of the Committee; and a study and review, nearing completion, on access to Disciplinary Board files; and implementing a procedure for uniformity by reducing the size of the Committee, but maintaining nonlawyer membership on the Committee to express the public interest.

Currently, the Committee has under study a State Bar petition requesting the Court to dissolve the Supreme Court Standing Committee on Attorney Standards and to provide that lawyer members of the Disciplinary Committee be appointed by the Board of Governors of the State Bar Association.

The Lawyer Trust Account Committee (LTAC), under the supervision of the Bar Foundation, administers the interest on lawyer trust accounts (IOLTA). This program implemented by the Court, by rules changes, was a work product of the Attorney Standards Committee. Since its adoption, effective October 1, 1987, this program has been a substantial source of funding for Legal Assistance of North Dakota (LAND). Grants to LAND for 1990 were approximately $115,000.

Judiciary Standards Committee:

The Judiciary Standards Committee, chaired by Jane Voglewede of Fargo, studies and reviews all rules relating to the supervision of the judiciary, including judicial discipline, judicial ethics, and the judicial nominating process.

During 1990, the Judiciary Standards Committee completed its study of judicial performance evaluation, and recommended to the North Dakota Supreme Court that a limited pilot project for judicial performance evaluation be implemented, contingent upon availability of funds. The Court subsequently adopted Administrative Rule 32, which established the pilot project and is effective through August 30, 1993.

The Committee completed a study of appellate docket currency standards, and encouraged the Supreme Court to informally implement a docket currency standards pilot program for one year. The Court subsequently adopted the standards effective July 1, 1990, on a one year test basis.

The Committee also began a study of the ABA Model Code of Judicial Conduct with amendments as adopted by the House of Delegates of the ABA in late 1989. A special study subcommittee, chaired by Judge Ronald L. Hilden of Dickinson, will make recommendations on whether the North Dakota Code of Judicial Conduct should be revised in light of changes in the ABA Model Code.

Court Services Administration Committee:

The Court Services Administration Committee, chaired by William A. Strutz of Bismarck, was established to study and review rules and orders relating to the administrative supervision of the North Dakota judicial system.

During 1990, the Committee, in conjunction with its subcommittees, considered several subjects including docket currency standards regarding motion practice, judicial district boundary lines, computerized legal research in district and county courts, court records retention schedules for clerks of court, public access to court records and continued the study of state funding of clerk of district court services and county court unification in cooperation with the North Dakota Association of Counties.

The Committee has requested the Liaison Committee of the State Bar Association of North Dakota and the State Medical Association to study the possibility of developing guidelines for expert witness fees.

As a result of various studies, the Court Services Administration Committee forwarded recommendations to the North Dakota Supreme Court, concerning changes to the presiding judge rule (Administrative Rule 2), and magistrate duties (Administrative Rule 2), and magistrate duties (Administrative Rule 20), and proposed rules relating to the adoption of procedures for designating resident district court judgeship chambers (Administrative Rule 7.1), and qualifications of jury bailiffs (Administrative Rule 29).

Judicial Planning Committee:

The Judicial Planning Committee, chaired by Justice Beryl J. Levine, identifies, describes, and clarifies problem areas which can be referred to judicial leaders and other standing committees for resolution.

In 1990, as a part of the planning process, the Committee proposed to the Supreme Court a "North Dakota Judicial System Agenda for the Decade: 1991-2001". In the development process since 1987, this document is a statement of goals and objectives for the North Dakota Judicial System for the remainder of this century and provides long-range direction for the improvement of court services in our state. The "Agenda for the Decade" was ultimately approved by the Supreme Court.

As in 1989, at the request of the Committee, a North Dakota judicial system leadership retreat was held in October 1990 to explore future directions of the judicial system.

Judicial Training Committee:

The Judicial Training Committee is a committee of the North Dakota judicial conference and is chaired by District Court Judge Larry Hatch of the South Central Judicial District. The judicial training committee reviews and approves instate training programs which meet the professional needs of judges and court personnel. The Committee also reviews grant proposals to fund training programs, develops a biennial training budget for instate and out-of-state training programs, and drafts and reviews legislation and court rules relating to judicial training.

In 1990, as a result of severe budget reductions incurred by the supreme court, funds for judicial education were once again cut dramatically. However, with the assistance of federal funds received through grants offered by the North Dakota Department of Transportation, the judiciary was able to conduct two outstanding educational programs (the municipal judges institute and the alcohol safety workshop for juvenile court personnel).

In addition, the ability to utilize federal child support funds made available through the North Dakota Department of Human Services made it possible to conduct a statewide child support enforcement conference for district and county court judges and the North Dakota bar. The total federal moneys expended for the three programs was approximately $45,000.

An extensive effort has been put forth by the curriculum subcommittee, UND law school, and the benchbook task force in meeting the demands of implementing the two State Justice Institute grants awarded in 1989. The completion of the New Judge Orientation Program is expected in mid-1992. North Dakota's first judicial institute for district and county court judges is scheduled for the summer of 1991 at the UND Law School. The program agenda is criminal law.

Personnel Advisory Board:

The Personnel Advisory Board, as it existed prior to January 1, 1991, chaired by William Bohn, State Court Administrator, undertook an evaluation of the personnel system for the North Dakota judiciary. That board forwarded to the Supreme Court a new pay and classification plan which, with some amendments, was adopted by the Supreme Court effective January 1, 1991.

As of that date, the Supreme Court approved the creation of two personnel advisory boards. Luella Dunn, Clerk of the Supreme Court, chairs the Supreme Court Personnel Advisory Board which studies matters relating to Supreme Court personnel, while Judge Norman J. Backes chairs the District Court Personnel Advisory Board, which studies matters relating to District Court personnel. The boards will work jointly on matters affecting all personnel while dealing with the specific needs of the two systems.

North Dakota Legal Counsel for Indigents Commission:

The North Dakota Legal Counsel for Indigents Commission, formerly chaired by Judge John T. Paulson, Valley City, and now chaired by James T. Odegard, Grand Forks, has reviewed and identified areas of concern between civil and criminal representations for indigents. The Commission has also addressed the concerns raised in regards to recoupment in indigent defense cases. The Commission has reviewed recent district budget information indicating the approximate levels of recoupment as a percentage of total indigent defense expense. Statewide, approximately 7% of indigent defense expenditures during this biennium have been recouped. At a recent meeting the Commission commended the Northwest and Southeast Judicial Districts for their efforts in recouping the costs of indigent defense.

Constitutional Celebration Committee:

The Constitutional Celebration Committee, chaired by Justice Herbert L. Meschke, is nearing completion of its work in sponsoring efforts to celebrate our constitutional heritage through the bicentennial of the United States Constitution. The 200th anniversary of ratification of the Bill of Rights, the first 10 Amendments, will be celebrated during 1991. The Committee is attempting to inform the general public to appreciate how the Bill of Rights guarantees the rights of the individuals in our constitutional system of ordered liberty. Educational projects scheduled for 1991 include shopping bag displays for each of the Bill of Rights, coordination of traveling exhibits and classroom contests in North Dakota schools, release of new Chuck Suchy compositions about the rights of individuals in North Dakota, and assisting the North Dakota appearance of a 50 State Tour of the Bill of Rights in Bismarck during October.

Council of Presiding Judges

The Council of Presiding Judges consists of the presiding judge of each of the seven judicial districts with the chairman being named by the chief justice. Present members of the Council are: Benny A. Graff, Chairman; Maurice R. Hunke, Wallace D. Berning; James H. O'Keefe; Kirk Smith; Norman J. Backes; Robert L. Eckert.

The Council of Presiding Judges works primarily with budgets and caseloads. Their charter is to ensure that the business of the courts is handled with dispatch and efficiency. The Council meets at the call of the chairman. In attendance at each of the meetings is the chief justice, the state court administrator, the trial court administrators, and selected staff members of the administrative office.

In 1990, as a result of the referral of scheduled tax increases, the Council of Presiding Judges met five times during the year. At each meeting the district court budgets were reviewed as they related to the legislative appropriation and the district court program areas. Early in the year, constant review was required in order to meet the anticipated budget reductions put in place by the office of management and budget and applied to all portions of state government.

Some of the other major issues to come before the presiding judges in 1990 were such matters as; a) a policy on the wage rate for jury bailiffs; b) a review of the pay and classification system as studied by a subcommittee of the Council; c) the continued management of reduced operating expense budgets; d) a policy for providing workers' compensation for district court jurors; e) the preparation of the 1991/93 biennium budget; f) the evaluation of the statewide computer case tracking study; g) the study of a statewide computerized legal research system; and, h) the study of an outside consultant's report on the administration of juvenile probation.

Disciplinary Board

The Disciplinary Board of the Supreme Court, originally known as the Grievance Commission, was established in 1965 to investigate citizen complaints alleging unethical conduct by North Dakota attorneys.

There are seven lawyer and three non-lawyer members of the Board, as follows: Michael L. Halpern, Glen Ullin, Chair; Karen K. Braaten, Grand Forks; Duane H. Ilvedson, Fargo; Mary E. Nordsven, Dickinson; Robert C. Heinley, Carrington; Lewis C. Jorgenson, Devils Lake; Bishop Robert Lynne, Bismarck; Louise Sherman, Dickinson; Robert L. Hoss, Fargo; Michel W. Stefonowicz, Crosby. Luella Dunn, Clerk of the Supreme Court, serves as the secretary for the Board. Disciplinary Counsel is Vivian E. Berg.

By the end of 1990, Michael Halpern had served two three-year terms on the Disciplinary Board, as well as having served twelve years on the State Bar Association's Inquiry Committee West, a remarkable record of eighteen years of service to his profession. His dedication and his talents have been a definite asset to the Board. Under the rules he is not eligible for reappointment to the Disciplinary Board.

Complaints against attorneys are docketed by the secretary and forwarded either to the chairman of Inquiry Committee East or Inquiry Committee West of the State Bar Association. An investigation is then conducted by a member of the respective committees or disciplinary counsel, with opportunity to appear before the Inquiry Committee for both the attorney and complainant as provided in the rules.

Inquiry Committees may dismiss complaints, issue a private reprimand, consent probation, or both, or direct formal proceedings. The attorney issued a private reprimand may demand, as of right, that formal proceedings be instituted.

If the complainant is dissatisfied with the disposition of the Inquiry Committee, an appeal may be filed with the Disciplinary Board for review. This action must be taken within 30 days of receipt of notice of the disposition.

Formal proceedings are instituted by Disciplinary Board counsel upon the direction of the Inquiry Committee through a petition for discipline, heard by a hearing body appointed by the chairperson of the Board and which reports to the Board. The Board submits a report to the Supreme Court if its recommendation is for public discipline, and the matter is presented to the Court with briefs and oral argument. Review is de novo on the record and the standard of proof is clear and convincing evidence. Following is a summary of complaints handled by the Disciplinary Board in 1990.

SUMMARY OF DISCIPLINARY BOARD COMPLAINTS FOR THE YEAR 1990

New Complaints filed for the year 1990	151
General Nature of new complaints filed:	
Client Funds and Property	5
Conflict of Interest	8
Criminal Conviction	4
Excessive Fees	6
Failure to Communicate/Cooperate With Client	1
Improper Conduct	76
Incompetent Representation	38
Misappropriation/Fraud	3
Neglect/Delay	10
Unauthorized Practice of Law	1
TOTAL	*152
Disciplinary Proceedings pending from prior years	31
Complaints carried over from previous year	50
Total Complaints for consideration in 1990	233

*One complaint involved two separate allegations of misconduct or nature of complaint.

Disposition of Complaints:	
Dismissed	112
Private Reprimands issued	15
*Public Reprimands issued	3
**Suspensions	5
Disciplinary proceedings instituted and pending	60
Complaints pending 12/31/90	38
TOTAL	***233

*Two separate complaints against one attorney resulted in a public reprimand.
**Three separate complaints against one attorney resulted in a suspension.
***One complaint against two attorneys resulted in a dismissal against one attorney and formal proceedings instituted against the other attorney.

Judicial Conduct Commission

The Judicial Conduct Commission was established by the legislature in 1975 with the enactment of Chapter 27-23 of the North Dakota Century Code. The law empowers the Commission to investigate complaints against any judge in the state and to conduct hearings concerning the discipline, removal, or retirement of a judge.

The seven members of the Commission include one district judge, one county judge, one attorney, and four citizen members. Members of the Commission are Janet Maxson, Minot, Chair; Honorable William F. Hodny, Mandan, Vice Chair; Robert C. Heinley, Carrington; Dorreen Yellow Bird, New Town; Rick Maixner, New England; Clifton Odegard, Buxton; Honorable James M. Bekken, New Rockford. The Clerk of the Supreme Court, Luella Dunn, is secretary for the Commission. Staff Counsel is Vivian E. Berg.

Complaints against judges are filed with the Commission's secretary, who acknowledges their receipt and forwards them to staff counsel for investigation. The judge against whom the complaint is filed is afforded due process and provided an opportunity to present such matters as he or she may choose.

A majority of complaints are dismissed as being without merit; however, the Commission may issue a private censure or direct that formal proceedings be instituted. If formal proceedings are instituted, the matter may be heard by the Commission or by a master or masters appointed by the Supreme Court.

The following table is a summary of the nature and disposition of complaints handled by the Judicial Conduct Commission in 1990.

SUMMARY OF JUDICIAL CONDUCT COMMISSION COMPLAINTS FOR THE YEAR 1990

New Complaints filed in 1990	34
General Nature of Complaints filed:	
Improper Judicial Conduct	20
Biased Decisions	4
Conflict of Interest	1
Failure to Comply with Law	3
Failure to Afford Complainant Due Process	4
Delay in Rendering Decision	2
TOTAL	34
Complaints carried over from 1989	6
TOTAL Complaints for consideration	40
Disposition of Complaints:	
Dismissed	36
Complaints Pending 12/31/90	4
TOTAL	40

Of the New Complaints Filed in 1990:

13 were against County Judges
15 were against District Court Judges
4 were against Municipal Judges
1 was against Child Support Referee
1 was against Small Claims Court Referee
34

State Bar Board Annual Report — 1990

For the first time in the seventy-two year history of the State Bar Board of North Dakota, a woman has been appointed to membership on the Board. The Supreme Court appointed Rebecca S. Thiem to serve a six-year term on the three-member board. Ms. Thiem is a Bismarck attorney with the firm of Zuger, Kirmis, Bolinske and Smith. Other members of the Board are Malcolm H. Brown of Mandan with the firm of Bair, Brown and Kautzmann and Gerald D. Galloway of the firm of Howe, Hardy, Galloway and Maus, Dickinson. By statute, the Clerk of the Supreme Court serves as Secretary-Treasurer of the State Bar Board.

The State Bar Board was established by the 1919 Legislature. However, as early as 1895, applicants for admission to the bar were examined in court either by the judges or a committee of three lawyers. Duties of the Board include adopting the policy to evaluate legal ability of applicants as well as determining their character and fitness to practice law. The Board is the licensing agency for lawyers and in that capacity, collects the annual license fees and keeps a record of all licensed attorneys.

The state bar examination is a two-day written examination with one day devoted to the Multistate Bar Examination and the other day to the North Dakota essay examination. The Multistate Bar Examination is a multiple-choice exam consisting of 200 questions and covers the subjects of Constitutional Law, Contracts, Criminal Law, Evidence, Torts and Real Property. The North Dakota essay examination is a six-hour written examination which covers the subjects of Practice and Procedure; Equity; Business Associations; Commercial Transactions; Family Law; and Wills, Estates and Trusts. Applicants are also required to pass the Multistate Professional Responsibility Examination, a multiple-choice examination on legal ethics. This is a national exam given three times yearly at the University of North Dakota School of Law.

Two bar examinations are generally offered each year, one in February and one in July. Statistics for the 1990 bar examinations are:

	# Applicants	# Successful % Successful	# UND Grads.	# Successful % Successful
2-90 Exam	12	9/75%	4	3/75%
7-90 Exam	51	37/73%	35	26/74%

Attorneys applying for admission based on at least five years admission in another jurisdiction must file proof of four years of active practice. Other requirements are certification of good standing in the jurisdiction of admission as well as 45 hours of continuing legal education obtained in the three years immediately preceding application for admission.

Of the 57 lawyers admitted to the North Dakota Bar in 1990, 23 were women. Thirteen of the 57 were admitted based on admission and practice in another jurisdiction.

In 1990, the State Bar Board licensed 1,633 lawyers and judges compared with 1,618 licensed in 1989. Approximately one-seventh (247) of the licensed lawyers in 1990 were women.

Judicial Conference

The North Dakota Judicial Conference was originally established as an arm of the judicial branch of state government in 1927. At that time, the organization was known as the North Dakota Judicial Council. Present statutory language covering the Judicial Conference is found in Chapter 27-15, NDCC, as amended in 1985.

There are currently seventy-four members of the Judicial Conference. As ex officio members, the conference consists of all Supreme Court Justices, District Court Judges, and County Court Judges. Other ex officio members are the Attorney General, the Dean of the University of North Dakota School of Law, and the Clerk of the North Dakota Supreme Court. Other members of the Conference include two judges of the Municipal Courts, as appointed by the Municipal Judges Association, and five members of the North Dakota Bar Association, who are appointed by the Bar Association. All Surrogate Judges, as appointed by the Supreme Court under Section 27-17-03, NDCC, are also Conference members.

All ex officio members of the Conference serve during the time they occupy their respective official positions. The term of office of the two Municipal Judges is two years. The term of office for the five members of the bar is five years. Vacancies on the Judicial Conference are filled by the authority originally selecting the members.

The State Court Administrator serves as the Executive Secretary of the Judicial Conference.

The officers of the Judicial Conference consist of the chairman and chairman-elect, who are selected for a term of two years by the members of the Conference. In addition, there is an executive committee consisting of the Chairman, Chairman-elect, a Justice of the Supreme Court elected by the Supreme Court, a District Judge elected by the Association of District Judges, and a County Judge elected by the Association of County Judges.

Under North Dakota law, the Judicial Conference is required to meet twice each year. These meetings are usually held in June and November. Special meetings, however, may be called by the chairman. While members of the Judicial Conference are not compensated for their services, they are reimbursed for their expenses while discharging their Conference duties.

The Judicial Conference has four major duties. They are:

1. Solicit, receive, and evaluate suggestions relating to the improvement of the administration of justice.
2. Consider and make recommendations to the Supreme Court for changes in rules, procedures, or any matter pertaining to the judicial system.
3. Coordinate continuing judicial education efforts for judges and support staff.
4. Establish methods for review of proposed legislation which may affect the operation of the judicial branch.

To support the activities of the full conference, there has been created by Conference bylaws the following standing committees:

1. Program Planning Committee, Justice H.F. Gierke, Chairman
2. Committee on Legislation, Justice Herbert L. Meschke, Chairman
3. Committee on Judicial Salary and Retirement, Justice H.F. Gierke, Chairman
4. Committee on Courts with Limited Jurisdiction, Judge Harold B. Herseth, Chairman
5. Committee on Judicial Training, Judge Larry Hatch, Chairman

Special committees are as follows:

1. Judicial Immunity Committee, Judge Kirk Smith, Chairman
2. Jury Management Committee, Judge Jon Kerian, Chairman

Committee membership results from appointment by the chairman after consultation with the executive committee of the Judicial Conference. The bylaws provide that non-conference members can serve on either standing or special committees.

The officers and executive committee of the Judicial Conference are as follows:

Judge Jonal H. Uglem, Chairman
Justice H.F. Gierke, Chairman-elect
Justice Gerald W. VandeWalle, Executive Committee
Judge Lawrence E. Jahnke, Executive Committee
Judge James Bekken, Executive Committee

NORTH DAKOTA JUDICIAL CONFERENCE

Justices of the Supreme Court

Ralph J. Erickstad

Gerald W. VandeWalle
H.F. Gierke III

Beryl J. Levine
Herbert L. Meschke

Judges of the District Courts

South Central District
*Benny A. Graff
Gerald G. Glaser
Dennis A. Schneider
Wm. F. Hodny
Larry M. Hatch

Southwest District
*Maurice R. Hunke
Allan L. Schmalenberger
Donald L. Jorgensen

Northwest District
*Wallace D. Berning
Everett Nels Olson
Jon R. Kerian
Wm. M. Beede
Bert L. Wilson

Southeast District
*Robert L. Eckert
John T. Paulson
Gordon O. Hoberg

Northeast District
*James H. O'Keefe
William A. Neumann
Lee A. Christofferson

Northeast Central District
*Kirk Smith
Joel D. Medd
Bruce E. Bohlman
Lawrence E. Jahnke

East Central District
*Norman J. Backes
Lawrence A. Leclerc
Michael O. McGuire
Cynthia A. Rothe

Judges of the County Courts

James M. Bekken
Georgia Dawson
Donavan J. Foughty
M. Richard Geiger
Donavin L. Grenz
F. Gene Gruber
Gail Hagerty
Harold B. Herseth
Ronald L. Hilden
Robert W. Holte
Gary A. Holum
Lester S. Ketterling
Frank Kosanda
Bayard Lewis
John C. McClintock
Wm. W. McLees
Thomas Metelmann
Gary D. Neuharth
Frank L. Racek
Burt L. Riskedahl
Thomas J. Schneider
Orville A. Schulz
Mikal Simonson
Gordon Thompson
Lowell O. Tjon
Jonal H. Uglem

Judges of the Municipal Courts

Marian Schatz
David Walth

Surrogate Judges of the Supreme & District Courts

Wm. L. Paulson
Vernon R. Pederson
Eugene A. Burdick
Douglas B. Heen
A.C. Bakken
Roy A. Ilvedson
John O. Garaas

Attorney General Nicholas J. Spaeth
Clerk of the Supreme Court Lu Dunn
Dean of the UND School of Law Jeremy Davis

Members of the Bar

Kermit Edward Bye
Walfrid B. Hankla
Carol Ronning Kapsner
Paul G. Kloster
Dwight C. H. Kautzmann

Executive Secretary
William G. Bohn

*Denotes Presiding Judge

6/13/90
75 Members

JUDICIAL BRANCH

Bismarck, North Dakota

COMBINED STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES — ALL GOVERNMENTAL FUND TYPES AND EXPENDABLE TRUST FUNDS

For the fiscal years ended June 30, 1990 and 1989

	GOVERNMENTAL FUND TYPE GENERAL		FIDUCIARY FUND TYPE EXPENDABLE TRUST	
	1990	1989	1990	1989
REVENUE:				
Charges for Service—General Govt.	$ 19,887	$ 23,994		
Misc.—Leases, Rents & Royalties		3		
Miscellaneous—Other	178,493	230,946	$ 19,843	$ 1,050
Judges Retirement Assessments			$ 8,981	$ 8,394
Insurance Recoveries Revenue	745	508		
Interest Income			204	172
Total Revenues	$ 199,125	$ 255,451	$ 29,028	$ 9,616
EXPENDITURES:				
Salaries & Wages	$ 7,690,040	$ 7,012,044		
Data Processing	64,935	64,306		
Operating Expenses	1,768,174	2,113,704	$ 17,051	$ 1,767
Equipment	58,415	206,257		
Judges Retirement Benefit Payments	447,830	396,713	1,933	1,279
Insurance Recoveries	745	508		
Capital Lease Purchases		70,849		
Total Expenditures	$ 10,030,139	$ 9,864,381	$ 18,984	$ 3,046
Excess of Revenue Over (Under) Expenditures	$ (9,831,014)	$(9,608,930)	$ 10,044	$ 6,570
OTHER FINANCING SOURCES (USES):				
Transfers to State General Fund	$ (83,036)	$ (66,032)		
Transfers From State General Fund	9,970,960	9,617,401		
Capital Leases		70,849		
Total Other Financing Sources (Uses)	$ 9,887,924	$ 9,622,218	$ -0-	$ -0
Excess of Revenue and Other Sources Over (Under) Expenditures and Other Uses	$ 56,910	$ 13,288	$ 10,044	$ 6,570
Fund Balance-July 1	$ 13,288		$ 177,947	$ 171,377
Fund Balance-June 30	$ 70,198	$ 13,288	$ 187,991	$ 177,947